

THE GENERAL STATUTES OF NORTH CAROLINA

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1987 CUMULATIVE SUPPLEMENT

Annotated, under the Supervision of the Department of
Justice, by the Editorial Staff of the Publishers

Under the Direction of

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Volume 4A

North Carolina Constitution, United
States Constitution and Tables

Annotated through 356 S.E.2d 26. For complete scope of
annotations, see scope of volume page.

**Place Behind Supplement Tab in Binder Volume.
This Supersedes Previous Supplement, Which
May Be Retained for Reference Purposes.**

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1987

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Preface

This 1987 Cumulative Supplement to Replacement Volume 4A contains amendments and supplementary annotations to the Constitution of North Carolina. It also contains a table of the general laws enacted by the General Assembly through the 1987 Regular Session.

Beginning with the opinions issued by the North Carolina Attorney General on July 1, 1969, any opinion which construes a specific statute is cited as an annotation to that statute. For a copy of an opinion or of its headnotes write the Attorney General, P.O. Box 629, Raleigh, N.C. 27602.

The members of the North Carolina Bar are requested to communicate any defects they may find in the General Statutes or in this Cumulative Supplement, and any suggestions they may have for improving the General Statutes, to the Department of Justice of the State of North Carolina, or to The Michie Company, Law Publishers, Charlottesville, Virginia.

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User's Guide

In order to assist both the legal profession and the layman in obtaining the maximum benefit from the North Carolina General Statutes, a User's Guide has been included herein. This guide contains comments and information on the many features found within the General Statutes intended to increase the usefulness of this set of laws to the user. See Volume 1A, Part I for the complete User's Guide.

Constitution of North Carolina

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ARTICLE I

DECLARATION OF RIGHTS

Section 1. The equality and rights of persons.

NOTE

This section declares a right to con-
duct a lawful business of to which a
trademark has been "registered" in
pursuance of laws promulgated under
United States law. It is hereby declared
that no person shall be denied the
exercise of this right.

A person who is engaged in a
business which involves the use of a

trademark shall be entitled to the same
protection and shall be entitled to the same
rights and remedies as are accorded to
any person who is engaged in a
business of to which a trademark has been
registered in North Carolina. It is
declared that no person shall be
denied the exercise of this right.

Enacted by the General Assembly of
North Carolina, 1937, Chapter 100.

ARTICLE VI. OF THE ATTORNEYS AT LAW.

Whereas the General Assembly of
North Carolina has provided for the
admission to the practice of law in
this State of persons who are
qualified to practice law in some
other State or Territory of the
United States;

And whereas it is the policy of the
General Assembly to encourage the
admission to the practice of law in
this State of persons who are
qualified to practice law in some
other State or Territory of the
United States;

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In order to secure the best possible results in the examination of the candidates for the degree of Bachelor of Science, the following regulations have been framed. These regulations are intended to guide the candidates in the preparation of their papers and to ensure that the examination is conducted in a fair and equitable manner. The regulations are as follows:

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7. Other elective officers.

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ARTICLE I

DECLARATION OF RIGHTS

Section 1. The equality and rights of persons.

CASE NOTES

This section creates a right to conduct a lawful business or to earn a livelihood that is "fundamental" for purposes of state constitutional analysis. *Treants Enters., Inc. v. Onslow County*, 83 N.C. App. 345, 350 S.E.2d 365 (1986).

Provisions Held Unconstitutional.

— A county ordinance subjecting businesses which provide male or female

"companionship" to various licensing requirements was held to lack any rational, real and substantial relation to any valid objective of the county and thus to offend this section and Art. I, § 19 of the Constitution of North Carolina. *Treants Enters., Inc. v. Onslow County*, 83 N.C. App. 345, 350 S.E.2d 365 (1986).

Cited in *DiDonato v. Wortman*, 80 N.C. App. 117, 341 S.E.2d 58 (1986).

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Moratorium on Granting of Permits for Hazardous Waste Facilities. — The Governor does not have the authority to issue a moratorium on the granting of permits for hazardous waste

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OPINIONS OF ATTORNEY GENERAL

Moratorium on Granting of Permits for Hazardous Waste Facilities.

— The Governor does not have the authority to issue a moratorium on the granting of permits for hazardous waste

facilities in this State. See opinion of Attorney General to Mr. Tom Karnoski, Hazardous Waste Treatment Commission, 55 N.C.A.G. 73 (1986).

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CASE NOTES

II. DELEGATION OF LEGISLATIVE POWER.

Necessity for Adequate Standards, etc. —

The General Assembly must prescribe the standard for an administrative board with sufficient definiteness so that the board is bound by legislative policy and cannot, under the name of finding facts, actually set policy. *Farlow v. North Carolina State Bd. of Chiropractic Exmrs.*, 76 N.C. App. 202, 332 S.E.2d

696, cert. denied and appeal dismissed, 314 N.C. 664, 336 S.E.2d 621 (1985).

Delegation of Power Upheld. —

The proscription of "unethical conduct" in § 90-154 is a sufficiently definite standard so that the Board of Chiropractic Examiners may set policies within it without exercising a legislative function. *Farlow v. North Carolina State Bd. of Chiropractic Exmrs.*, 76 N.C. App. 202, 332 S.E.2d 696, cert. denied and appeal dismissed, 314 N.C. 664, 336 S.E.2d 621 (1985).

Sec. 13. Religious liberty.

Legal Periodicals. —

For article, "The Concept of Religion in State Constitutions," see 8 *Campbell L. Rev.* 437 (1986).

For note, "Delconte v. State: Some Thoughts on Home Education," see 64 *N.C.L. Rev.* 1302 (1986).

CASE NOTES

Cited in *Delconte v. State*, 313 N.C. 384, 329 S.E.2d 636 (1985).

Sec. 14. Freedom of speech and press.

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Cited in *Cinema I Video, Inc. v. Thornburg*, 83 N.C. App. 544, 351 S.E.2d 305 (1986).

Sec. 15. Education.

Legal Periodicals. —

For note, "Delconte v. State: Some

Thoughts on Home Education," see 64 N.C.L. Rev. 1302 (1986).

Sec. 16. Ex post facto laws.

CASE NOTES

Tax Not Retrospective. — Contention that as to appellant § 105-282.7 was a retrospective tax in violation of this section was without merit, where the statute was ratified in 1981 and did not become effective until January 1,

1982, and where appellant was not taxed under it for any period prior to its enactment. In re Champion Int'l Corp., 74 N.C. App. 639, 329 S.E.2d 691, cert. denied and appeal dismissed, 314 N.C. 540, 335 S.E.2d 15 (1985).

Sec. 18. Courts shall be open.

Legal Periodicals. —

For article, "The American Medical Association vs. The American Tort System," see 8 Campbell L. Rev. 241 (1986).

For note, "Wilder v. Amatex Corp.: A First Step Toward Ameliorating the Effect of Statutes of Repose on Plaintiffs

with Delayed Manifestation Diseases," see 64 N.C.L. Rev. 416 (1986).

For note on the six year statutory bar to products liability actions, in light of Tetterton v. Long Manufacturing Co., 314 N.C. 44, 332 S.E.2d 67 (1985), see 64 N.C.L. Rev. 1157 (1986).

CASE NOTES

I. IN GENERAL.

Applied in Pangburn v. Saad, 73 N.C. App. 336, 326 S.E.2d 365 (1985).

Cited in Walker v. Santos, 70 N.C. App. 623, 320 S.E.2d 407 (1984); DeSoto Trail, Inc. v. Covington Diesel, Inc., 77 N.C. App. 637, 335 S.E.2d 794 (1985); Gardner v. Asbestos Corp., 634 F. Supp. 609 (W.D.N.C. 1986).

II. ACCESS TO THE COURTS.

Statutes of Limitations. — Section 1-50 does not violate the "open courts" provision of the North Carolina Constitution. Tetterton v. Long Mfg. Co., 314 N.C. 44, 332 S.E.2d 67 (1985).

Sections 1-50(5) and 1-15(c) are not unconstitutional as being violative of the open courts provision of the North Carolina Constitution and the equal protection clauses of the state and federal Constitutions. Square D Co. v. C.J. Kern Contractors, 314 N.C. 44, 423 S.E.2d 63 (1985).

Jurisdiction over Justiciable Matters of Civil Nature. — Except for areas specifically placing jurisdiction elsewhere (such as claims under the

Worker's Compensation Act), the trial courts of North Carolina have subject matter jurisdiction over all justiciable matters of a civil nature. Harris v. Pembaur, — N.C. App. —, 353 S.E.2d 673 (1987).

Contract dispute between the parties constituted a "justiciable matter" that was "cognizable" in North Carolina trial courts; therefore, the trial judge's determination that there was no subject matter jurisdiction was in error. Harris v. Pembaur, — N.C. App. —, 353 S.E.2d 673 (1987).

V. SPEEDY CRIMINAL TRIALS.

Unless some fixed time limit is prescribed, etc. —

In accord with the main volume. See State v. Bare, 77 N.C. App. 516, 335 S.E.2d 748 (1985), cert. denied, 315 N.C. 392, 338 S.E.2d 881 (1986).

Undue delay which is arbitrary and oppressive or the result of deliberate prosecution efforts to hamper the defense violates the constitutional right to a speedy trial. State v. Bare, 77 N.C. App. 516, 335 S.E.2d 748 (1985), cert.

denied, 315 N.C. 392, 338 S.E.2d 881 (1986).

Burden on Defendant. — The length of a delay is not determinative of whether a violation has occurred; the issue must be resolved on the facts of each case, and the defendant has the burden

of establishing that the delay was purposeful or oppressive or by reasonable effort could have been avoided by the State. *State v. Bare*, 77 N.C. App. 516, 335 S.E.2d 748 (1985), cert. denied, 315 N.C. 392, 338 S.E.2d 881 (1986).

Sec. 19. Law of the land; equal protection of the laws.

Legal Periodicals. —

For 1984 survey, "Double Jeopardy and Substantial Rights in North Carolina Appeals," see 63 N.C.L. Rev. 1061 (1985).

For article, "The Battle to Preserve North Carolina's Estuarine Marshes: The 1985 Legislation, Private Claims to Estuarine Marshes, Denial of Permits to Fill, and the Public Trust," see 64 N.C.L. Rev. 565 (1986).

For note, "Wilder v. Amatex Corp.: A First Step Toward Ameliorating the Effect of Statutes of Repose on Plaintiffs with Delayed Manifestation Diseases," see 64 N.C.L. Rev. 416 (1986).

For article, "Obscenity: The Justices' (Not So) New Robes," see 8 Campbell L. Rev. 387 (1986).

For note on the Declaratory Judgment Act and due process in expulsions from voluntary trade associations, in light of *Harrison v. Gaston Bd. of Realtors, Inc.*, 311 N.C. 230, 316 S.E.2d 59 (1984), see 21 Wake Forest L. Rev. 121 (1985).

For note on the six year statutory bar to products liability actions, in light of *Tetterton v. Long Manufacturing Co.*, 314 N.C. 44, 332 S.E.2d 67 (1985), see 64 N.C.L. Rev. 1157 (1986).

CASE NOTES

I. GENERAL CONSIDERATION.

A governmental agency is not precluded from competing with its franchisee, despite the fact that the value of the franchise is diminished or destroyed by such competition. Such competition does not result in a taking or injuring of the franchisee's property without due process of law. *Stillings v. City of Winston-Salem*, 311 N.C. 689, 319 S.E.2d 233 (1984).

Applied in *State v. Rogers*, 68 N.C. App. 358, 315 S.E.2d 492 (1984); *McDowell v. Estate of Anderson*, 69 N.C. App. 725, 318 S.E.2d 258 (1984); *State v. Rose*, 312 N.C. 441, 323 S.E.2d 339 (1984); *Pangburn v. Saad*, 73 N.C. App. 336, 326 S.E.2d 365 (1985); *State v. Raines*, — N.C. —, 354 S.E.2d 486 (1987).

Stated in *Ervin v. Speece*, 72 N.C. App. 366, 324 S.E.2d 299 (1985); *Knight v. City of Wilmington*, 73 N.C. App. 254, 326 S.E.2d 376 (1985); *Ratton v. Ratton*, 73 N.C. App. 642, 327 S.E.2d 1 (1985).

Cited in *Cabarrus County v. City of Charlotte*, 71 N.C. App. 192, 321 S.E.2d 476 (1984); *State ex rel. Banking Comm'n v. Citicorp Sav. Indus. Bank*, 74 N.C. App. 474, 328 S.E.2d 895 (1985);

State v. Avery, 315 N.C. 1, 337 S.E.2d 786 (1985); *Town of Emerald Isle v. State*, 78 N.C. App. 736, 338 S.E.2d 581 (1986); *United Va. Bank v. Air-Lift Assocs.*, 79 N.C. App. 315, 339 S.E.2d 90 (1986); *State v. Perry*, 316 N.C. App. 87, 340 S.E.2d 450 (1986); *Yates v. Jamison*, 782 F.2d 1182 (4th Cir. 1986). *DiDonato v. Wortman*, 80 N.C. App. 117, 341 S.E.2d 58 (1986); *State v. Kuplen*, 316 N.C. 387, 343 S.E.2d 793 (1986); *State v. Gilliam*, 317 N.C. 293, 344 S.E.2d 783 (1986); *Pritchard v. Elizabeth City*, 81 N.C. App. 543, 344 S.E.2d 821 (1986); *State v. Hurst*, 82 N.C. App. 1, 346 S.E.2d 8 (1986); *Cinema I Video, Inc. v. Thornburg*, 83 N.C. App. 544, 351 S.E.2d 305 (1986); *State v. Stokes*, 319 N.C. 1, 352 S.E.2d 653 (1987); *State v. Jones*, — N.C. App. —, 354 S.E.2d 251 (1987).

II. DUE PROCESS AND THE "LAW OF THE LAND."

Whether a statute violates the law of the land clause is a question of degree and reasonableness in relation to the public good likely to result from it. *Lowe v. Tarble*, 313 N.C. 460, 329 S.E.2d 648 (1985).

Federal Due Process Decisions Applicable. — "Law of the land" is equivalent to the federal Fourteenth Amendment "due process of law," and federal court interpretations of the latter, though not binding, are highly persuasive in construing our own amendment. *Armstrong v. Armstrong*, — N.C. App. —, 354 S.E.2d 350 (1987).

The North Carolina Supreme Court would employ a different method for deciding what procedural safeguards are due under the "law of the land" clause to a person deprived of a protected interest than the United States Supreme Court has proposed for deciding similar questions under the due process clause. *Henry v. Edmisten*, 315 N.C. App. 474, 340 S.E.2d 720 (1986).

When the furtherance of a legitimate state interest requires the State to engage in prompt remedial action adverse to an individual interest protected by law, and the action proposed by the State is reasonably related to furthering the state's interest, the law of the land ordinarily requires no more than that before such action is undertaken, a judicial officer determine that there is probable cause to believe that the conditions which would justify the action exist. *Henry v. Edmisten*, 315 N.C. 474, 340 S.E.2d 720 (1986).

The "Law of the Land" Requires Notice and Opportunity to Be Heard. — The "law of the land" clause contained in this section mandates that a party be given notice and an opportunity to be heard before he or she can be deprived of a legal claim or defense. *First Union Nat'l Bank v. Rolfe*, 83 N.C. App. 625, 351 S.E.2d 117 (1986).

The "law of the land" is equivalent, etc. —

The term "law of the land," as used in this section, is synonymous with "due process of law" as that term is applied under the Fourteenth Amendment to the United States Constitution. In *re Smith*, 82 N.C. App. 107, 345 S.E.2d 423 (1986).

And to Notice and Opportunity to Be Heard. —

The defendant, who had defaulted on the original complaint which alleged that she was a resident of this State, was entitled to notice of the plaintiff's subsequent motion to declare that none of her property was exempt by virtue of non-residency and an opportunity to contest the factual allegations as to her non-res-

idency; where she was given neither notice nor an opportunity to be heard, in violation of statutory and constitutional provisions, the order declaring that her property was not exempt was invalid, and she was entitled to relief therefrom pursuant to § 1A-1, Rule 60(b)(4). *First Union Nat'l Bank v. Rolfe*, 83 N.C. App. 625, 351 S.E.2d 117 (1986).

Statute Must Serve Legitimate Purpose and Be Rationally Related Thereto. — For a statute to be within the limits set by the federal due process clause and the North Carolina "law of the land" provision, all that is required is that the statute serve a legitimate purpose of state government and be rationally related to the achievement of that purpose. *Shipman v. North Carolina Private Protective Servs. Bd.*, 82 N.C. App. 441, 346 S.E.2d 295, cert. denied and appeal dismissed, 318 N.C. 509, 349 S.E.2d 866 (1986).

A legitimate entitlement does not always rise to the level of "property" protected against "taking" by the due process clause of the state and federal Constitutions. *Armstrong v. Armstrong*, — N.C. App. —, 354 S.E.2d 350 (1987).

Right to military retirement pay is not a constitutionally protected "vested property right"; the right to retirement pay is a creature of federal statute, not private contract. *Armstrong v. Armstrong*, — N.C. App. —, 354 S.E.2d 350 (1987).

Re-Classification of Retirement Pay as Marital Property. — Defendant's right to his retirement pay was "vested" such that it could be included as marital property under § 50-20(b), yet his right to this government benefit was never "so far perfected as to permit no statutory interference." Thus the legislature's re-classification of defendant's military retirement pay as marital property violated neither the Constitutional guarantees of due process nor the law of the land. *Armstrong v. Armstrong*, — N.C. App. —, 354 S.E.2d 350 (1987).

A tenant in a publicly subsidized housing project is entitled to due process protection. *Roanoke Chowan Regional Hous. Auth. v. Vaughan*, 81 N.C. App. 354, 344 S.E.2d 578, cert. denied, 317 N.C. 706, 347 S.E.2d 439 (1986).

III. EQUAL PROTECTION.

To withstand an equal protection claim, etc. —

This section requires that if a class is

created there must be a reasonable basis for such classification and the consequent difference in treatment under the law. This means that the creation of the class must be reasonably related to the accomplishment of some purpose which the legislature has the power to reach. *Durham Council of Blind v. Edmisten*, 79 N.C. App. 156, 339 S.E.2d 84, cert. denied and appeal dismissed, 316 N.C. 552, 344 S.E.2d 5 (1986).

Test Is Reasonableness, etc. —

In the area of economics and social welfare, a statute containing a legislative classification which is rationally related to a legitimate state objective does not violate this section or the equal protection clause of the Fourteenth Amendment to the United States Constitution. The traditional equal-protection test does not require the very best classification in the light of a legislative or regulatory purpose, but does require that such classification in relation to such purpose attain a minimum (undefined and undefinable) level of rationality. *State v. Stanley*, 79 N.C. App. 379, 339 S.E.2d 668 (1986).

The ban on the use or possession of tobacco products by students at school is a valid exercise of the authority delegated to the various boards of education by the legislature, and does not violate the guarantee of equal protection contained in the Fourteenth Amendment to the U.S. Const. and this section. *Craig v. Buncombe County Bd. of Educ.*, 80 N.C. App. 683, 343 S.E.2d 222, appeal dismissed, 318 N.C. 281, 348 S.E.2d 138 (1986).

IV. RIGHTS OF DEFENDANTS IN CRIMINAL CASES.

A. In General.

Statement of Defendant at Sentencing Hearing. — This section, while permitting a defendant to speak at sentencing hearing, does not require the trial court to personally address the defendant and ask him if he wishes to make a statement in his own behalf. *State v. McRae*, 70 N.C. App. 779, 320 S.E.2d 914 (1984), cert. denied, 313 N.C. 175, 326 S.E.2d 35 (1985).

For case espousing a test that includes bad faith prosecutorial overreaching or harassment aimed at prejudicing defendant's chances for acquittal, whether in the current trial or a retrial, as a standard for prosecutorial misconduct to be applied in assessing

double jeopardy claims under the Constitution of North Carolina, see *State v. White*, — N.C. App. —, 354 S.E.2d 324 (1987).

B. Composition of Juries.

State's Challenges to Jurors Opposed to Death Penalty, etc. —

The practice of "death qualifying" juries in capital cases violates neither the United States Constitution nor this section of the North Carolina Constitution. *State v. Barts*, 316 N.C. 666, 343 S.E.2d 828 (1986); *State v. Johnson*, 317 N.C. 343, 346 S.E.2d 596 (1986).

C. Double Jeopardy.

Where multiple punishment is involved, the double jeopardy clause acts as a restraint on the prosecutor and the courts, not the legislature. *State v. Gardner*, 315 N.C. App. 444, 340 S.E.2d 701 (1986).

And Courts May Not Impose More Punishment Than Intended by Legislature. — The double jeopardy clauses of both the United States and North Carolina Constitutions prohibit a court from imposing more punishment than that intended by the legislature. *State v. Gardner*, 315 N.C. 444, 340 S.E.2d 701 (1986).

But Legislature May Authorize Cumulative Punishment. — Where the legislature specifically authorizes cumulative punishment under two statutes, regardless of whether those who statutes proscribe the "same" conduct, a court's task of statutory construction is at an end, and the prosecutor may seek and the trial court or jury may impose cumulative punishment under such statutes in a single trial. *State v. Gardner*, 315 N.C. 444, 340 S.E.2d 701 (1986).

Intent of Legislature Determines Punishment. — When a defendant is tried in a single trial for violations of two statutes that punish the same conduct, the amount of punishment allowable under the double jeopardy clause of the Federal Constitution and the law of the land clause of our state Constitution is determined by the intent of the legislature. *State v. Freeland*, 316 N.C. App. 13, 340 S.E.2d 35 (1986).

Double jeopardy does not prohibit multiple punishments for the same offenses, where both are tried at the same time, and the Legislature clearly intended them to be punished separately. *State v. Strohauser*, 84 N.C. App. 68, 351 S.E.2d 823 (1987).

Reinstatement of a guilty plea following correction of an error of law did not violate the principles of double jeopardy. *State v. Oakley*, 75 N.C. App. 99, 330 S.E.2d 59 (1985).

In this State a defendant may not be punished both for felony murder and for the underlying "predicate" felony, even in a single prosecution. Whether in other situations multiple punishments may be imposed when a defendant, in a single trial, is convicted of multiple offenses when some are fully, factually embraced within others is to be determined on the basis of legislative intent. *State v. Gardner*, 315 N.C. 414, 340 S.E.2d 701 (1986).

Convictions May Be Had for Breaking or Entering and Larceny. — The prohibitions in the United States and North Carolina Constitutions against placing a person twice in jeopardy do not prohibit, in a single trial, convictions and punishment for both breaking or entering and felony larceny based upon that breaking or entering. *State v. Gardner*, 315 N.C. App. 414, 340 S.E.2d 701 (1986).

Conviction and punishment for both felony breaking or entering and felonious larceny based upon the same breaking or entering in a single trial is not prohibited by the provisions of either the Constitution of the United States or the Constitution of North Carolina. *State v. Edmondson*, 316 N.C. 187, 340 S.E.2d 110 (1986).

Because the crimes of larceny and obtaining property by false pretenses are separate and distinguishable offenses, the issuance of a second indictment for false pretenses, after the dismissal of larceny charges at the close of the state's evidence, did not constitute double jeopardy. *State v. Kelly*, 75 N.C. App. 461, 331 S.E.2d 227, cert. granted, — N.C. —, 339 S.E.2d 409 (1985).

Double Jeopardy Shown in Capital Case. — Where the initial declaration of a mistrial during the defendant's first trial on the capital charge against her was not the result of manifest necessity, and therefore was error, and it could not be determined from the record whether the error in initially declaring a mistrial caused the jury to fail to reach agreement after the court had reinstated the jury, and thus deprived the defendant of a verdict, the trial court erred when it later denied the defendant's motion to dismiss the charge of murder in the first degree against her for the rea-

son that she had formerly been placed in jeopardy for the same offense. *State v. Lachat*, 317 N.C. 73, 343 S.E.2d 872 (1986).

Prosecutorial Misconduct Intended to Provoke Motion for Mistrial. — Where the former trial is terminated by a mistrial granted at the request of, or with the consent of, the defendant, the general rule is that the double jeopardy clause does not bar retrial, even if the defendant's motion for mistrial is made as a result of prosecutorial error; however, where the prosecutorial misconduct giving rise to the defendant's motion for mistrial is intended to goad or provoke the defendant into moving for a mistrial, the defendant may invoke the protection of the double jeopardy clause to bar a retrial. *State v. Major*, — N.C. App. —, 352 S.E.2d 862 (1987).

Defendant's failure to object to termination of her first trial for capital murder by a declaration of mistrial would not prevent her from receiving the relief to which she was otherwise entitled on grounds of former jeopardy, on appeal of her conviction at a second trial. *State v. Lachat*, 317 N.C. 73, 343 S.E.2d 872 (1986).

****Order Denying Motion Immediately Appealable.** — A defendant's right not to be unconstitutionally subjected to multiple criminal trials for the same offense is a substantial right, a violation of which cannot be fully remedied by an appeal taken after the subsequent trial has already occurred because the mere fact of the subsequent trial is a violation of the protected right; therefore, where a motion for dismissal of criminal charges is based upon double jeopardy grounds, an order denying the motion is immediately appealable. *State v. Major*, — N.C. App. —, 352 S.E.2d 862 (1987).

Double Jeopardy Not Shown. — Defendant's convictions of two violations of § 14-27.7, engaging in a sexual act and in intercourse with a person over whom his employer had custody, following his earlier acquittal of second degree rape under § 14-27.3 and committing a sex act on a person who was physically helpless under § 14-27.5 and vacation of his conviction of engaging in a sex act by force and against victim's will in violation of § 14-27.5 did not violate the double jeopardy clauses of the Fifth Amendment to the United States Constitution and this section of the North Carolina

Constitution, as the offenses that defendant was convicted of were not lesser included offenses of the crimes that he was earlier tried for. *State v. Raines*, 81 N.C. App. 299, 344 S.E.2d 138, cert. granted, 317 N.C. 712, 347 S.E.2d 450 (1986).

Defendant who was convicted for robbing a bank in this State of \$6,058.00 with a dangerous weapon in violation of 18 U.S.C. § 2113(d) was not entitled to dismissal of an indictment in the Superior Court of Perquimans County for committing the same robbery with a dangerous weapon in violation of § 14-87 on double jeopardy grounds, as defendant was not being prosecuted for the "same offense" as he had been punished for in federal court. *State v. Myers*, 82 N.C. App. 299, 346 S.E.2d 273 (1986).

Convictions of statutory rape, taking indecent liberties with a child, and incest, all arising out of the same transaction, did not violate the defendant's rights against double jeopardy; the three are legally separate and distinct crimes, none of which is a lesser included offense of another. *State v. Etheridge*, 319 N.C. 34, 352 S.E.2d 673 (1987).

The crime against nature, taking indecent liberties with a child, and sexual offense in the second degree are legally separate and distinct crimes, and convictions for all three crimes arising out of the same transaction did not place the defendant in double jeopardy. *State v. Etheridge*, 319 N.C. 34, 352 S.E.2d 673 (1987).

Defendant held to have failed to establish his double jeopardy claim under the state Constitution based on prosecutorial misconduct resulting in his request for a mistrial, where it could not be said that the State's case was going so badly and the prejudice resulting from the prosecutor's conduct was so grave that the defendant's choice to continue or to abort the proceedings was rendered unmeaningful. *State v. White*, — N.C. App. —, 354 S.E.2d 324 (1987).

D. Right to Counsel.

Test of effective assistance of counsel, etc.

In accord with 1st paragraph in original. See *State v. Scober*, 74 N.C. App. 469, 328 S.E.2d 590 (1985).

Illustrative Cases. —

Trial court's findings and conclusions that although defense counsel's pretrial and trial performance was significantly deficient and fell well below the minimum standard of professional compe-

tence expected and required of attorneys handling serious criminal cases in the Superior Courts of Wake County, his errors were not so serious as to deprive defendant of a fair trial, would be upheld. *State v. Moorman*, 82 N.C. App. 594, 347 S.E.2d 857, cert. granted, — N.C. —, 350 S.E.2d 861 (1986).

I. Restraint of Defendant at Trial.

There is no ban, constitutional or otherwise, against physical restraint in the courtroom per se. What is forbidden by the due process and fair trial guarantees of the Fourteenth Amendment to the United States Constitution and this section of the North Carolina Constitution is physical restraint that improperly deprives a defendant of a fair trial. *State v. Wright*, 82 N.C. App. 450, 346 S.E.2d 510 (1986).

A defendant may be physically restrained during his trial when restraint is necessary to maintain order, prevent the defendant's escape, or protect the public. *State v. Wright*, 82 N.C. App. 450, 346 S.E.2d 510 (1986).

J. Punishment.

Imposition of a 30 year sentence for a habitual felon who under the facts could have received a maximum sentence of life imprisonment under § 14-1.1 is within constitutional limits and does not constitute cruel and unusual punishment. *State v. Aldridge*, 76 N.C. App. 638, 334 S.E.2d 107 (1985).

VI. POLICE POWER.

Limitations on Use of Private Property. —

The "vested rights" doctrine has evolved as a constitutional limitation on the State's exercise of its police power to restrict an individual's use of private property by the enactment of zoning ordinances; the doctrine is rooted in the "due process of law" and the "law of the land" clauses of the federal and state Constitutions. *Godfrey v. Zoning Bd. of Adjustment*, 317 N.C. 51, 344 S.E.2d 272 (1986).

VII. TAKING OF PRIVATE PROPERTY FOR PUBLIC USE.

A. In General.

Zoning restrictions on property may be so strict as to amount to a

taking of that property. However, for there to be such a "taking," the restriction must deprive the owner of virtually all the beneficial uses of his land. *Sherrill v. Town of Wrightsville Beach*, 81 N.C. App. 369, 344 S.E.2d 357, cert. denied and appeal dismissed, 318 N.C. 417, 349 S.E.2d 600 (1986).

Riparian rights are vested property rights that cannot be taken for private purposes or taken for public purposes without compensating the owner, and they arise out of ownership of land bounded or traversed by navigable water. In *re Mason ex rel. Huber*, 78 N.C. App. 16, 337 S.E.2d 99 (1985), cert. denied, 315 N.C. 588, 341 S.E.2d 27 (1986).

Lease for shellfish cultivation issued under § 113-202 did not infringe upon riparian rights of landowner. In *re Mason ex rel. Huber*, 78 N.C. App. 16, 337 S.E.2d 99 (1985), cert. denied, 315 N.C. 588, 341 S.E.2d 27 (1986).

C. Compensation.

Taking Property without Compensation. — While Art. 1, § 19 does not expressly prohibit taking property without compensation, this right is nevertheless considered a part of the "law of the land" under the amendment. *Armstrong v. Armstrong*, — N.C. App. —, 354 S.E.2d 350 (1987).

Damages for Delay in Payment. —

When the taking of property by the State precedes the payment of compensation, the owner is entitled to additional compensation for the delay in payment. The Fifth and Fourteenth Amendments to the Constitution of the United States and this section require this additional payment as a part of just compensation. The additional sum awarded for delay in payment of the value for the property taken is not interest *eo nomine*, but interest is a fair means for measuring the amount to be arrived at of such additional sums. *Lea Co. v. North Carolina Bd. of Transp.*, 317 N.C. 254, 345 S.E.2d 355 (1986).

E. Illustrative Cases.

PCB's Disposal Facility Not Justifying Inverse Condemnation. — Plaintiffs landowners failed to demonstrate that they were entitled to recover based upon inverse condemnation on account of "the State's location and operation of a PCBs disposal facility, the buffer zone to which was adjacent to their

land. *Twitty v. State*, — N.C. App. —, 354 S.E.2d 296 (1987).

VIII. TAXATION.

Indirect Attempt to Tax Income Not Taxable by State. — Interpretation of § 105-147(9)d 2 and 3 whereby non-North Carolina income is used to reduce a nonresident taxpayer's carryover losses is an indirect attempt to tax income not taxable by this State, in violation of the due process clause of the Fourteenth Amendment and the Law of the Land Clause of the North Carolina Constitution, and in contravention of legislative intent to tax only the North Carolina income of nonresident taxpayers, as stated in § 105-134. *Aronov v. Secretary of Revenue*, — N.C. App. —, 355 S.E.2d 854 (1987).

IX. MISCELLANEOUS RIGHTS.

Vested Rights in Pre-1983 Estates by the Entirety. — The claim of a vested property right may not rest upon state enforcement of common law which is unconstitutionally discriminatory. Thus, to the extent that defendant husband's claims to the exclusive right to the control and income of pre-1983 estates by the entirety were based solely upon common-law incidents of the tenancy, they would fail, as the right recognized by the common law could not be said to be a "vested property right." *Perry v. Perry*, 80 N.C. App. 169, 341 S.E.2d 53, cert. granted, 317 N.C. 336, 346 S.E.2d 502 (1986). See § 39-13.6.

XI. ILLUSTRATIVE CASES.

A. Statutes, Proceedings, etc., Upheld.

Statutes of Limitations. — Sections 1-50(5) and 1-15(c) are not unconstitutional as being violative of the open courts provision of the North Carolina Constitution and the equal protection clauses of the state and federal Constitutions. *Square D Co. v. C.J. Kern Contractors*, 314 N.C. 423, 334 S.E.2d 63 (1985).

Section 1-50 does not distinguish between manufacturers and retail sellers of products who are protected from liability beyond the six-year period of repose and does not violate the equal protection clauses or the state or federal Constitutions. *Tetterton v. Long Mfg. Co.*, 314 N.C. 44, 332 S.E.2d 67 (1985).

Section 24-5 does not violate this section, the Equal Protection and Due Pro-

cess Clauses of the Fourteenth Amendment to the U.S. Const., or the exclusive emoluments clause contained in N.C. Const., Art. I, § 32. *Lowe v. Tarble*, 312 N.C. 467, 323 S.E.2d 19 (1984), rehearing granted, 313 N.C. 176, 326 S.E.2d 32, aff'd on rehearing, 313 N.C. 460, 329 S.E.2d 648 (1985).

Section 24-5 does not violate the equal protection clause of the Fourteenth Amendment to the U.S. Const. or this section. *Powe v. Odell*, 312 N.C. 410, 322 S.E.2d 762 (1984).

Section 24-5, relating to the imposition of interest, does not violate Art. I, Sections 19 and 32 of the North Carolina Constitution and the equal protection and due process clauses of the Fourteenth Amendment to the United States Constitution. *Harris v. Scotland Neck Rescue Squad, Inc.*, 75 N.C. App. 444, 331 S.E.2d 695, cert. denied, 314 N.C. 329, 333 S.E.2d 486 (1985).

Section 53-229, relating to the acquisition and control of certain non-bank banking institutions, does not violate the commerce clause of the U.S. Constitution, nor the equal protection, exclusion emoluments and antimonopoly provisions of the state Constitution (Art. I, §§ 19, 32 and 34). *Citicorp v. Currie*, 75 N.C. App. 312, 330 S.E.2d 635, cert. denied and appeal dismissed, 314 N.C. 537, 538, 335 S.E.2d 15, 16 (1985).

Eviction Proceedings. — An eviction proceeding in a North Carolina state court pursuant to the North Carolina eviction statute will provide the tenant with all the process that is due. *Roanoke Chowan Regional Hous. Auth. v. Vaughan*, 81 N.C. App. 354, 344 S.E.2d 578, cert. denied, 317 N.C. 706, 347 S.E.2d 439 (1986).

Conditions for licenses to operate bingo games set out in §§ 14-309.7 and 14-309.8 are reasonably related to a legitimate interest that bingo games not be operated by full-time professionals for profit. *Durham Council of Blind v. Edmisten*, 79 N.C. App. 156, 339 S.E.2d 84, cert. denied and appeal dismissed, 316 N.C. 552, 344 S.E.2d 5 (1986).

B. Statutes, Proceedings, etc., Held Unconstitutional.

A county ordinance subjecting businesses which provide male or female "companionship" to various licensing requirements was held to lack any rational, real and substantial relation to any valid objective of the county and thus to offend this section and Art. I, § 1 of the Constitution of North Carolina. *Treants Enters., Inc. v. Onslow County*, 83 N.C. App. 345, 350 S.E.2d 365 (1986).

Sec. 20. General warrants.

CASE NOTES

I. GENERAL CONSIDERATION.

Fourth Amendment Search and Seizure, etc.

The language of this section differs markedly from the language of the Fourth Amendment to the Constitution of the United States. Nevertheless, this section prohibits unreasonable searches and seizures. *State v. Arrington*, 311 N.C. 633, 319 S.E.2d 254 (1984).

Applied in *State v. Kornegay*, 313 N.C. 1, 326 S.E.2d 881 (1985).

II. WARRANTLESS SEARCHES.

Blood Test on Unconscious Defendant. — In a prosecution for involuntary manslaughter and driving under the influence, the performance of a blood alcohol test on blood seized from an unconscious defendant pursuant to

§ 20-16.2(b) did not violate defendant's rights under the U.S. Constitution and this section, because of (1) the existence of probable cause to arrest; (2) the limited nature of the intrusion upon the person; and (3) the destructibility of the evidence. *State v. Hollingsworth*, 77 N.C. App. 36, 334 S.E.2d 463 (1985).

Warrantless Search Held Improper. — Warrantless search of defendant's automobile some 20 hours after officer, who knew defendant and was familiar with her vehicle, received information that the automobile contained several one-fourth ounce packages of marijuana was illegal, and the evidence seized would be suppressed. *State v. Isleib*, 80 N.C. App. 599, 343 S.E.2d 234, cert. granted, 317 N.C. 711, 347 S.E.2d 46 (1986).

III. SEARCH WARRANTS.

Totality of Circumstances Test Adopted. — For resolving questions arising under this section with regard to the sufficiency of probable cause to support the issuance of a search warrant, the Supreme Court of North Carolina adopts the totality of circumstances test of *Illinois v. Gates*, 462 U.S. 213, 103 S. Ct. 2317, 76 L. Ed. 2d 527 (1983) and *Massachusetts v. Upton*, — U.S. —, 104 S. Ct. 2085, 80 L. Ed. 2d 721 (1984) and rejects the two-pronged test of *Aguilar v. Texas*, 378 U.S. 108, 84 S. Ct. 1509, 12 L. Ed. 2d 723 (1964) and *Spinelli v. United States*, 393 U.S. 410, 89 S. Ct. 584, 21 L. Ed. 2d 637 (1969). *State v. Arrington*, 311 N.C. 633, 319 S.E.2d 254 (1984).

Under the totality of circumstances test, the two-pronged prongs of *Aguilar* and *Spinelli* — veracity and basis of knowledge — are still relevant, but are not to be accorded independent status. The task of the issuing magistrate is simply to make a practical, common sense decision whether, given all the circumstances set forth in the affidavit before him, including the “veracity” and “basis of knowledge” of persons supplying hearsay information, there is a fair probability that contraband or evidence of a crime will be found in a particular place. And the duty of the reviewing court is simply to ensure that the magistrate had a substantial basis for concluding that probable cause existed. *State v. Arrington*, 311 N.C. 633, 319 S.E.2d 254 (1984).

The North Carolina Supreme Court has adopted the “totality of the circumstances” test to determine the sufficiency of probable cause to issue a warrant under this section. *State v. Isleib*, 80 N.C. App. 599, 343 S.E.2d 234, cert. granted, 317 N.C. 711, 347 S.E.2d 46 (1986).

Severable Provisions. — Provisions of warrant which authorized police to search both for drugs and for “stolen goods” were severable, and the police could constitutionally search for the listed drugs or items of the same class, but the warrant could not authorize a general exploratory search of defendant’s home and inventory of its contents. *State v. Connard*, 81 N.C. App. 327, 344 S.E.2d 568 (1986).

Affidavit Insufficient to Find Probable Cause. — Where the affidavit contained a mere naked assertion that the informant at some time saw a “room full of marijuana” growing in the defendant’s house, and the officer affiant made no attempt to corroborate the informant’s story, but merely verified that the defendant lived in the house in question, the affidavit did not contain sufficient information on which to find probable cause, nor could the evidence seized as a result of the search be admitted under the “good faith exception” to the exclusionary rule in view of the fact that the officer took no reasonable steps to comply with the Fourth Amendment of the United States Constitution. *State v. Newcomb*, 84 N.C. App. 92, 351 S.E.2d 565 (1987).

Sec. 22. Modes of prosecution.

Legal Periodicals. —

For note examining the development of constitutional protections against race and class discrimination in the selection of jurors, and policy consider-

ations associated with extending these principles to foreman selection procedures, in light of *State v. Cofield*, 77 N.C. App. 699, 336 S.E.2d 439 (1985), see 64 N.C.L. Rev. 1179 (1986).

CASE NOTES

A valid indictment is a condition precedent, etc.

In accord with 3rd paragraph in the main volume. See *State v. Johnson*, 77 N.C. App. 583, 335 S.E.2d 770 (1985).

All Essential Elements of Offense, etc. —

In accord with 2nd paragraph in the main volume. See *State v. Johnson*, 77 N.C. App. 583, 335 S.E.2d 770 (1985).

Sec. 23. Rights of accused.

Legal Periodicals. —

For 1984 survey, "When Is a Confes-

sion Coerced and When Is It Voluntary," see 63 N.C.L. Rev. 1214 (1985).

CASE NOTES

I. GENERAL CONSIDERATION.

Applied in *State v. Colbert*, 311 N.C. 283, 316 S.E.2d 79 (1984); *State v. Matthews*, 69 N.C. App. 526, 317 S.E.2d 62 (1984); *State v. Hunt*, 72 N.C. App. 59, 323 S.E.2d 490 (1984).

Cited in *State v. Abney*, 79 N.C. App. 649, 339 S.E.2d 841 (1986); *State v. Kuplen*, 316 N.C. 387, 343 S.E.2d 793 (1986); *State v. Johnson*, 317 N.C. 343, 346 S.E.2d 596 (1986); *State v. Worthington*, — N.C. App. —, 352 S.E.2d 695 (1987).

II. RIGHT TO BE INFORMED OF ACCUSATION.

Form of Bill for Homicide. — This section and § 15A-924(a)(5) did not specifically repeal § 15-144, relating to essentials of a bill for homicide, nor did they repeal it by implication. *State v. Avery*, 315 N.C. 1, 337 S.E.2d 786 (1985).

III. RIGHT OF CONFRONTATION.

A. In General.

Use of Hearsay in Criminal Trial. — A prosecutor is prohibited by U.S. Const., Amend. 6 and this section from introducing any hearsay evidence in a criminal trial unless two requirements are met. The prosecution must show both the necessity for using the hearsay testimony and the inherent trustworthiness of the original declaration. *State v. Gregory*, 78 N.C. App. 565, 338 S.E.2d 110 (1985), cert. denied and appeal dismissed, 316 N.C. 382, 342 S.E.2d 901 (1986).

To convict the defendant under the theory of aiding and abetting, the state has the burden of proving, among other things, that the crimes alleged have in fact been committed. Although it is not required that the principal be convicted, the guilt of the principal must be established beyond a reasonable doubt. This burden cannot be carried by testimony concerning judgments rendered in other trials to which the defendant was not a party and not able to cross-examine witnesses. The admission

of such evidence violates defendant's right to confrontation under the Constitution of the United States and the Constitution of North Carolina. *State v. Brown*, — N.C. —, 354 S.E.2d 225 (1987), overruling *State v. Duncan*, 28 N.C. 98 (1846) and *State v. Chittem*, 13 N.C. 49 (1830).

IV. RIGHT TO COUNSEL.

A. In General.

Test of effective assistance of counsel, etc.

In accord with original. See *State v. Scober*, 74 N.C. App. 469, 328 S.E.2d 590 (1985).

The benchmark for judging any claim of ineffectiveness must be whether counsel's conduct so undermined the proper functioning of the adversarial process that the trial could not be relied on as having produced a just result. *State v. Dockery*, 78 N.C. App. 190, 336 S.E.2d 719 (1985).

Breach of Attorney's Duty Does Not Automatically Require Reversal.

— The duties of an attorney representing a criminal defendant include the duty of loyalty, a duty to advocate defendant's cause, and the duty to consult with defendant, investigate defendant's case and keep defendant informed. However, a breach of one of these duties does not automatically require reversal of defendant's conviction. Defendant must also demonstrate that the professionally unreasonable conduct of his counsel resulted in prejudice to defendant. *State v. Dockery*, 78 N.C. App. 190, 336 S.E.2d 719 (1985).

Burden on Defendant to Show Supportable Defense. — In bringing an ineffective assistance claim based on the failure to adequately present a defense, the central question is whether a supportable defense could have been developed. The burden of showing the probability that this defense existed is on the defendant. *State v. Dockery*, 78 N.C. App. 190, 336 S.E.2d 719 (1985).

Reversal Not Required. — Trial court's findings and conclusions that although defense counsel's pretrial and

trial performance was significantly deficient and fell well below the minimum standard of professional competence expected and required of attorneys handling serious criminal cases in the Superior Courts of Wake County, his errors were not so serious as to deprive defendant of a fair trial, would be upheld. *State v. Moorman*, 82 N.C. App. 594, 347 S.E.2d 857, cert. granted, — N.C. —, 350 S.E.2d 861 (1986).

V. SELF-INCRIMINATION.

A. In General.

Privilege Protects against Only Real Dangers. —

In accord with main volume. See *Shaw v. Williamson*, 75 N.C. App. 604, 331 S.E.2d 203, cert. denied, 314 N.C. 669, 335 S.E.2d 496 (1985).

Comment on Prior Silence after Defendant Takes Stand. — With or without a *Miranda* warning, a defendant's right to remain silent is guaranteed by the Fifth Amendment, as well as by this section. Any comment upon the exercise of this right, nothing else appearing, is impermissible. However, when a defendant chooses to testify in his own behalf, his Fifth Amendment right to remain silent must give way to the State's right to seek to determine, by way of impeachment, whether his prior silence is inconsistent with his trial testimony. The test is whether, under the circumstances at the time of arrest, it would have been natural for defendant to have asserted the same defense asserted at trial. *State v. McGinnis*, 70 N.C. App. 421, 320 S.E.2d 297 (1984).

Chemical analyses of blood or breath are not within the protection of the Fifth and Fourteenth Amendments to the United States Constitution, or this section, as such chemical analyses are not evidence which is testimonial or communicative in nature. *State v. White*, 84 N.C. App. 111, 351 S.E.2d 828 (1987).

Civil Actions Involving Arrest, Imprisonment or Execution against the Person. — The constitutional protection against self-incrimination extends to civil actions that subject one to arrest, imprisonment or execution against the person. *Shaw v. Williamson*, 75 N.C. App. 604, 331 S.E.2d 203, cert. denied, 314 N.C. 669, 335 S.E.2d 496 (1985).

Refusal to Answer Interrogatories in Civil Action for Punitive Damages. —

In a wrongful death action, defendant

faced no peril of being subject to execution against the person for not satisfying a judgment for punitive damages, as there was no allegation in the complaint that would support the required statutory findings for execution against the person. Therefore, there was no basis for defendant declining to answer interrogatories on the grounds of self-incrimination. *Shaw v. Williamson*, 75 N.C. App. 604, 331 S.E.2d 203, cert. denied, 314 N.C. 669, 335 S.E.2d 496 (1985).

In a wrongful death action, defendant could not have incriminated himself criminally by answering certain interrogatories, because, based on the same incident referred to in the complaint, he was charged with death by vehicle and driving while intoxicated, pled guilty, and complied with the judgments entered on the convictions. *Shaw v. Williamson*, 75 N.C. App. 604, 331 S.E.2d 203, cert. denied, 314 N.C. 669, 335 S.E.2d 496 (1985).

Defendant who, prior to his own indictment, gave testimony at codefendant's continuance hearing, placing himself in the company of the prosecuting witness on the evening in question, was not denied his privilege against self-incrimination, even though he was not represented by counsel or informed of his right against compulsory self-incrimination, despite the fact that codefendant's attorney, who had sought his testimony, was acting with the full complicity of the State, as defendant was not compelled to speak to his detriment. *State v. Flowers*, 318 N.C. 208, 347 S.E.2d 773 (1986).

B. Confessions.

Question of voluntariness must be determined by the total circumstances, etc. —

In determining whether a defendant's statement was in fact voluntarily and understandingly made, the court must consider the totality of the circumstances of the case and may not rely upon any one circumstance standing alone and in isolation. *State v. Richardson*, 70 N.C. App. 509, 320 S.E.2d 900, cert. granted, 313 N.C. 175, 326 S.E.2d 631 (1985).

A confession obtained by the slightest emotions of hope or fear ought to be rejected. *State v. Richardson*, 70 N.C. App. 509, 320 S.E.2d 900, cert. granted, 313 N.C. 175, 326 S.E.2d 631 (1985).

Sec. 24. Right of jury trial in criminal cases.

CASE NOTES

I. IN GENERAL.

The defendant has an absolute constitutional right to plead not guilty and be tried by a jury. He should not and could not be punished for exercising that right. *State v. Langford*, — N.C. —, 354 S.E.2d 523 (1987).

Trial as to Each Essential Element. —

It is fundamental that one charged with a crime in this state is entitled, as a matter of right, under both the federal and state Constitutions, to a jury trial as to every essential element of the crime charged. However, the punishment imposed is generally not an element of the crime. *State v. Field*, 75 N.C. App. 647, 331 S.E.2d 221, cert. denied and appeal dismissed, 315 N.C. 186, 337 S.E.2d 582 (1985).

Inquiry by Trial Judge as to Jury's Numerical Split. —

In accord with 3rd paragraph in original. See *State v. Fowler*, 312 N.C. 304, 322 S.E.2d 389 (1984).

Inquiries into the division of the jury are not a per se violation of this section when the trial court makes it clear that it does not desire to know whether the majority is for conviction or acquittal. Such inquiries are not inherently coercive, and without more do not violate the right to trial by jury guaranteed by the North Carolina Constitution. The appropriate standard is whether in the totality of the circumstances the inquiry is coercive. *State v. Fowler*, 312 N.C. 304, 322 S.E.2d 389 (1984).

The bifurcated procedure that the legislature has established for impaired driving cases, with the jury determining whether § 20-138.1 has been violated and the judge determining the length of punishment required under § 20-179, is constitutional. *State v. Field*, 75 N.C. App. 647, 331 S.E.2d 221, cert. denied and appeal dismissed, 315 N.C. 186, 337 S.E.2d 582 (1985).

Because the factors before the trial judge in determining sentencing are not elements of the offense, their consideration for purposes of sentencing is a function of the judge and is not susceptible to constitutional challenge based upon either the Sixth Amendment right to a jury trial or this section. *State v. Denning*, 316 N.C. 523, 342 S.E.2d 855

(1986), involving sentencing under § 20-179 for impaired driving.

Increase in Punishment Based on Aggravating Factor. — Trial judge's increasing of defendant's punishment under the Safe Roads Act of 1983 after a finding of a grossly aggravating factor, namely, that defendant had a prior conviction for a similar offense within seven years, did not in any way deprive defendant of his right to jury trial. *State v. Denning*, 76 N.C. App. 156, 332 S.E.2d 203 (1985), modified and aff'd, 316 N.C. 523, 342 S.E.2d 855 (1986).

Jury Request to Review Testimony. — Both this section and § 15A-1233 require the trial court to summon all jurors into the courtroom before hearing and addressing a jury request to review testimony, and to exercise its discretion in denying or granting the request. Failure of the trial court to comply with these mandates entitles defendant to press these points on appeal, notwithstanding his failure to object at trial. *State v. Ashe*, 314 N.C. 28, 331 S.E.2d 652 (1985).

Applied in *State v. McEntire*, 71 N.C. App. 720, 323 S.E.2d 439 (1984).

Cited in *State v. Avery*, 315 N.C. 1, 337 S.E.2d 786 (1985); *State v. Gilliam*, 317 N.C. 293, 344 S.E.2d 783 (1986); *State v. Belton*, 318 N.C. 141, 347 S.E.2d 755 (1986).

II. UNANIMOUS VERDICT OF TWELVE.

Submission of an issue to the jury in the disjunctive is reversible error if it renders the issue ambiguous and thereby prevents the jury from reaching a unanimous verdict. *State v. Diaz*, 317 N.C. 545, 346 S.E.2d 488 (1986).

A verdict of guilty following submission in the disjunctive of two or more possible crimes to the jury in a single issue is ambiguous and therefore fatally defective. *State v. Diaz*, 317 N.C. 545, 346 S.E.2d 488 (1986).

By instructing the jury that it could find defendant guilty of trafficking in marijuana if it found that defendant knowingly possessed or knowingly transported 10,000 pounds or more of marijuana, the trial judge submitted two possible crimes to the jury, as the jury could find defendant guilty if it found

that he committed either or both of the crimes submitted to it. Thus, the jury's verdict of guilty was fatally defective because it was ambiguous, depriving defendant of his constitutional right to be convicted by a unanimous jury. *State v. Diaz*, 317 N.C. 545, 346 S.E.2d 488 (1986).

III. SELECTION OF JURORS.

The presence on the jury of a judge who had earlier presided over the defen-

dant's arraignment, granted the defendant time to file motions and initiate discovery, and set the case for trial, violated the defendant's right to trial by a jury of 12, a right which is inalienable in North Carolina, and denied him liberty without due process of law, and the fact that neither party challenged the judge's presence on the jury was irrelevant. *Cox v. Turlington*, 648 F. Supp. 1553 (E.D.N.C. 1986).

Sec. 25. Right of jury trial in civil cases.

CASE NOTES

I. IN GENERAL.

Compulsory Reference. —

Although when a court orders a compulsory reference, a party preserves his right to trial by complying with the procedural steps outlined in § 1A-1, Rule 53, the party is entitled to trial by jury only if the evidence before the reference was sufficient to raise an issue of fact. *Fauchette v. Zimmerman*, 79 N.C. App. 265, 338 S.E.2d 804 (1986).

Applied in *Williams & Michael, P.A. v. Kennamer*, 71 N.C. App. 215, 321 S.E.2d 514 (1984); *Jackson v. Lundy Packing Co.*, 72 N.C. App. 337, 324 S.E.2d 290 (1985); *Phillips v. Phillips*, 73 N.C. App. 68, 326 S.E.2d 57 (1985); *In re McCarroll*, 313 N.C. 315, 327 S.E.2d 880 (1985).

Cited in *Dowat, Inc. v. Tiffany Corp.*, 83 N.C. App. 207, 349 S.E.2d 610 (1986).

Sec. 27. Bail, fines, and punishments.

CASE NOTES

Applied in *State v. Ford*, 71 N.C. App. 748, 323 S.E.2d 358 (1984).
Cited in *Cinema I Video, Inc. v.*

Thornburg, 83 N.C. App. 544, 351 S.E.2d 305 (1986).

Sec. 28. Imprisonment for debt.

CASE NOTES

I. IN GENERAL.

For an order of restitution to be valid it must be related to the criminal act for which defendant was convicted, or else the provision may run afoul of the constitutional provision pro-

hibiting imprisonment for debt. *State v. Froneberger*, 81 N.C. App. 398, 344 S.E.2d 344 (1986).

Cited in *Alexander v. Johnson*, 742 F.2d 117 (4th Cir. 1984).

Sec. 32. Exclusive emoluments.

Legal Periodicals. — For note on the six year statutory bar to products liability actions, in light of *Tetterton v. Long*

Manufacturing Co., 314 N.C. 44, 332 S.E.2d 67 (1985), see 64 N.C.L. Rev. 1157 (1986).

CASE NOTES

Statutes of Limitations. — Section 1-50(6) does not grant "exclusive or separate emoluments or privileges" to the persons it protects in violation of this section. *Tetterton v. Long Mfg. Co.*, 314 N.C. 44, 332 S.E.2d 67 (1985).

Validity of § 24-5. — The Legislature could reasonably have concluded that the classification scheme established by § 24-5 would best serve to further important and legitimate public purposes, including compensation of a plaintiff for the loss-of-use value of a damage award, the prevention of unjust enrichment to liability insurers who are required by law to maintain claim reserves on which interest is earned, and the promotion of settlement by these insurers, who unlike self-insurers, have as their primary business the insuring, investigation, defense and settlement of claims. The Legislature could have reasonably concluded that the distinction between defendants with liability insurance and those without was a valid one, and that the public welfare would be best served by such a classification. Therefore, § 24-5 does not create a special emolument or privilege within the meaning of this section. *Lowe v. Tarble*, 312 N.C. 467, 323 S.E.2d 19 (1984), *aff'd* on re-

hearing, 313 N.C. 460, 329 S.E.2d 648 (1985), rehearing granted, 313 N.C. 176, 326 S.E.2d 32 (1985).

Section 24-5 does not violate Art. I, Sections 19 and 32 of the North Carolina Constitution or the equal protection and due process clauses of the Fourteenth Amendment to the United States Constitution. *Harris v. Scotland Neck Rescue Squad, Inc.*, 75 N.C. App. 444, 331 S.E.2d 695, cert. denied, 314 N.C. 329, 333 S.E.2d 486 (1985).

Section 53-229, relating to the acquisition and control of certain non-bank banking institutions, does not violate the commerce clause of the U.S. Constitution, nor the equal protection, exclusion emoluments and antimonopoly provisions of the state Constitution (Art. I, §§ 19, 32 and 34). *Citicorp v. Currie*, 75 N.C. App. 312, 330 S.E.2d 635, cert. denied and appeal dismissed, 314 N.C. 537, 538, 335 S.E.2d 15, 16 (1985).

Applied in *State v. Stanley*, 79 N.C. App. 379, 339 S.E.2d 668 (1986).

Cited in *State ex rel. Banking Comm'n v. Citicorp Sav. Indus. Bank*, 74 N.C. App. 474, 328 S.E.2d 895 (1985); *Town of Emerald Isle v. State*, 78 N.C. App. 736, 338 S.E.2d 581 (1986).

Sec. 34. Perpetuities and monopolies.

CASE NOTES

The distinctive characteristics of a monopoly are (1) control of so large a portion of the market of a certain commodity that (2) competition is stifled, (3) freedom of commerce is restricted and (4) the monopolist controls prices. *American Motors Sales Corp. v. Peters*, 311 N.C. 311, 317 S.E.2d 351 (1984).

Section 53-229, relating to the acquisition and control of certain non-bank banking institutions, does not violate the commerce clause of the U.S. Constitution, nor the equal protection,

exclusion emoluments and antimonopoly provisions of the state Constitution (Arts. 1, 19, 32 and 34). *Citicorp v. Currie*, 75 N.C. App. 312, 330 S.E.2d 635, cert. denied and appeal dismissed, 314 N.C. 537, 538, 335 S.E.2d 15, 16 (1985).

Cited in *State ex rel. Banking Comm'n v. Citicorp Sav. Indus. Bank*, 74 N.C. App. 474, 328 S.E.2d 895 (1985); *Coastal Neuro-Psychiatric Assocs. v. Onslow Mem. Hosp.*, 795 F.2d 340 (4th Cir. 1986).

Sec. 35. Recurrence to fundamental principles.

CASE NOTES

Quoted in Treants Enters., Inc. v. Onslow County, 83 N.C. App. 345, 350 S.E.2d 365 (1986).

Cited in State v. Avery, 315 N.C. 1, 337 S.E.2d 786 (1985).

ARTICLE II LEGISLATIVE

Sec. 2. Number of Senators.

Defeated Amendment Proposal. — An amendment proposed by Session Laws 1985, c. 768, s. 11, and defeated at the primary election held on May 6, 1986, would have added "Except that

there shall be no election in 1988, and elections shall be conducted in 1989 and biennially thereafter" at the end of the section.

Sec. 4. Number of Representatives.

Defeated Amendment Proposal. — An amendment proposed by Session Laws 1985, c. 768, s. 11, and defeated at the primary election held on May 6, 1986, would have added "Except that

there shall be no election in 1988, and elections shall be conducted in 1989 and biennially thereafter" at the end of the section.

Sec. 8. Elections.

Defeated Amendment Proposal. — An amendment proposed by Session Laws 1985, c. 768, s. 1, and defeated at the primary election held on May 6,

1986, would have amended this section by deleting "1972 and every two years thereafter" and substituting "1986, and in 1989 and every two years thereafter."

Sec. 11. Sessions.

Defeated Amendment Proposal. — An amendment proposed by Session Laws 1985, c. 768, s. 12, and defeated at the primary election held on May 6, 1986, would have amended this section

by substituting "1987, and in 1990 and every two years thereafter" for "1973 and every two years thereafter" in subsection (1).

Sec. 23. Revenue bills.

CASE NOTES

I. GENERAL CONSIDERATION.

A bailment surcharge imposed on each case of distilled spirits shipped from ABC warehouse to ABC stores is not a tax; the cost of liquor enforcement is a burden incident to the privilege of

buying spirituous liquors in the state and such a surcharge is not unconstitutional as a tax imposed in violation of this section or of N.C. Const., Art. V, § 2. North Carolina Ass'n of ABC Bds. v. Hunt, 76 N.C. App. 290, 332 S.E.2d

693, cert. denied, 314 N.C. 667, 336 S.E.2d 400 (1985).

Sec. 24. Limitations on local, private, and special legislation.

Legal Periodicals. —

As to comment discussing beach access legislation as unconstitutional local legislation, see 64 N.C.L. Rev. 159 (1985).

For article, "The Battle to Preserve

North Carolina's Estuarine Marshes: The 1985 Legislation, Private Claims to Estuarine Marshes, Denial of Permits to Fill, and the Public Trust," see 64 N.C.L. Rev. 565 (1986).

CASE NOTES

I. GENERAL CONSIDERATION.

Annexation Provisions. — Sections 160A-45 et seq. do not violate this section, which prohibits the General Assembly from enacting "any local, private, or special act or resolution" in regard to certain enumerated subjects. This constitutional provision does not apply to annexation proceedings by municipalities, since N.C. Const., art. VII, § 1, authorizes the General Assembly "except as otherwise prohibited by this Constitution" to "give such powers and duties to counties, cities, and towns and other governmental subdivisions as it may deem advisable," and no other provision of the Constitution prohibits the General Assembly from enacting special legislation for the annexation of areas by municipalities. *Campbell v. City of Greensboro*, 70 N.C. App. 252, 319 S.E.2d 323, cert. denied and appeal dis-

missed, 312 N.C. 492, 322 S.E.2d 553 (1984).

Applied in *Floyd v. Lumberton City Bd. of Educ.*, 71 N.C. App. 670, 324 S.E.2d 18 (1984).

IV. HIGHWAYS, STREETS AND ALLEYS.

Limitation of Vehicular Access on Public Street in Town. — Chapter 539 of Session Laws 1983 violated this section in providing, among other things, that "vehicular access," with the exception of "public service, police, fire, rescue or other emergency vehicles," was excluded from the Inlet Drive right-of-way, Inlet Drive being a public street within the Town of Emerald Isle. *Town of Emerald Isle v. State*, 78 N.C. App. 736, 338 S.E.2d 581, discretionary review granted as to additional issues, 316 N.C. 737, 344 S.E.2d 17 (1986).

ARTICLE III EXECUTIVE

Sec. 2. Governor and Lieutenant Governor: election, term, and qualifications.

Defeated Amendment Proposal. —

An amendment proposed by Session Laws 1985, c. 768, ss. 2, 3 and 9.1(1), and defeated at the primary election held on May 6, 1986, would have amended this section by substituting "1988, and in 1993 and every four years thereafter" for "1972 and every four years thereafter" in the first sentence of subsection (1), by adding "except in 1988 at the same time and places as members of the

United States House of Representatives are elected" at the end of the first sentence of subsection (1), and by adding "except that the term of office of those elected in 1988 shall be for five years" at the end of subsection (1).

Editor's Note. — Session Laws 1985 (Reg. Sess., 1986), c. 1010, repealed Session Laws 1985, c. 61, which had proposed to amend this section by rewriting the last sentence of subsection (2).

Sec. 7. Other elective officers.

(3) *Vacancies.* If the office of any of these officers is vacated by death, resignation, or otherwise, it shall be the duty of the Governor to appoint another to serve until his successor is elected and qualified. Every such vacancy shall be filled by election at the first election for members of the General Assembly that occurs more than 60 days after the vacancy has taken place, and the person chosen shall hold the office for the remainder of the unexpired term fixed in this Section. When a vacancy occurs in the office of any of the officers named in this Section and the term expires on the first day of January succeeding the next election for members of the General Assembly, the Governor shall appoint to fill the vacancy for the unexpired term of the office.

(7) *Special Qualifications for Attorney General.* Only persons duly authorized to practice law in the courts of this State shall be eligible for appointment or election as Attorney General. (1983, c. 298, s. 1; 1987 (Reg. Sess., 1986), c. 920, s. 1.)

Only Part of Section Set Out. — As the rest of the section was not affected by the amendments, it is not set out.

Effect of Amendments. — The amendment adopted by vote of the people at the general election held Nov. 6, 1984, effective January 1, 1985, added paragraph (7).

The amendment adopted by vote of the people at the general election held Nov. 4, 1986, effective Jan. 1, 1987, substituted "60 days" for "30 days" in the second sentence of subsection (3).

Defeated Amendment Proposal. — An amendment proposed by Session

Laws 1985, c. 768, ss. 4, 5 and 9.1(1), and defeated at the primary election held on May 6, 1986, would have amended this section by substituting "1988, and in 1993 and every four years thereafter" for "1972 and every four years thereafter" in the first sentence of subsection (1), by adding "except in 1988 at the same time and places as members of the United States House of Representatives are elected" at the end of the first sentence of subsection (1), and by adding "except that the term of office of those elected in 1988 shall be for five years" at the end of subsection (1).

CASE NOTES

Duty of Attorney General. —

The Attorney General of North Carolina is a constitutional officer, and he is required to take an oath which among other things binds him to "support, maintain and defend the Constitution of North Carolina not inconsistent with the Constitution of the United States

...." It is but a small step from the language of this oath to the proposition asserted by the Attorney General, that his duty includes the defense of statutes of this State against charges of unconstitutionality. *Hendon v. North Carolina State Bd. of Elections*, 633 F. Supp. 454 (W.D.N.C. 1986).

Sec. 8. Council of State.

OPINIONS OF ATTORNEY GENERAL

Delegation of Power to Attend Meetings. — Those members of the Council of State who have statutory authority to delegate duties may, in conformity with such statutes, attend and vote at meetings of Boards of which they are ex officio members through delegates or

designated subordinates. The remaining members of the Council of State may make similar delegations or designations where, in the member's judgment, other duties necessitate his absence and the statute creating his ex officio membership does not express or clearly imply

an intent of the General Assembly that the powers of such membership be exercised personally. See opinion of Attorney

General to the honorable James E. Long, Commissioner of Insurance, 55 N.C.A.G. 116 (1986).

ARTICLE IV

JUDICIAL

Section 1. Judicial power.

CASE NOTES

When the jurisdiction of a particular court, etc. —

In accord with 2nd paragraph in main volume. See *Hogan v. Cone Mills Corp.*, 315 N.C. 127, 337 S.E.2d 477 (1985).

Limitation on Power of Legislature to Alter Judicial Result. — The doctrine of separation of powers precludes the Legislature from enacting a statute which alters a result obtained by a final judicial decision before the date of the statute's enactment. *Hogan v. Cone Mills Corp.*, 315 N.C. 127, 337 S.E.2d 477 (1985).

Assessment of Penalty Held Unconstitutional. — Where the DMV as-

sessed a penalty for operating a vehicle on the highways with a gross weight in excess of that allowed under the license obtained pursuant to § 20-96, but not in excess of the maximum axle weight limits, and such penalty was not authorized by § 20-118, such penalty violated this section and Const., Art. IV, § 3 since there was no reasonable necessity for conferring absolute judicial discretion in the DMV. *Young's Sheet Metal & Roofing, Inc. v. Wilkins*, 77 N.C. App. 180, 334 S.E.2d 419 (1985), cert. denied and appeal dismissed, 316 N.C. 202, 341 S.E.2d 574 (1986), decided prior to the 1985 amendment to § 20-96.

Sec. 3. Judicial powers of administrative agencies.

CASE NOTES

Limitation on Power of Legislature to Alter Judicial Result. — The doctrine of separation of powers precludes the Legislature from enacting a statute which alters a result obtained by final judicial decision before the date of the statute's enactment. *Hogan v. Cone Mills Corp.*, 315 N.C. 127, 337 S.E.2d 477 (1985).

Assessment of Penalty Held Unconstitutional. — Where the DMV assessed a penalty for operating a vehicle on the highways with a gross weight in excess of that allowed under the license

obtained pursuant to § 20-96, but not in excess of the maximum axle weight limits, and such penalty was not authorized by § 20-118, such penalty violated Const., Art. IV, § 1 and this section since there was no reasonable necessity for conferring absolute judicial discretion in the DMV. *Young's Sheet Metal & Roofing, Inc. v. Wilkins*, 77 N.C. App. 180, 334 S.E.2d 419 (1985), cert. denied and appeal dismissed, 316 N.C. 202, 341 S.E.2d 574 (1986), decided prior to the 1985 amendment to § 20-96.

Sec. 8. Retirement of Justices and Judges.

CASE NOTES

Stated in *In re City of Durham Annexation Ordinance Numbered 5991 for*

Area A, 69 N.C. App. 77, 316 S.E.2d 649 (1984).

Sec. 9. Superior Courts.

Defeated Amendment Proposals. — An amendment proposed by Session Laws 1985, c. 768, s. 9, and defeated at the primary election held on May 6, 1986, would have amended this section by adding "except that those elected in 1986 and 1988 shall serve for a term of five years" at the end of the first sentence of subsection (3).

An amendment proposed by Session

Laws 1985, c. 768, s. 9.1(1), and defeated at the primary election held on May 6, 1986, would have amended this section by adding "except in 1988 at the same time and place as members of the United States House of Representatives are elected" at the end of the first sentence of subsection (3).

Sec. 10. District Courts.

Defeated Amendment Proposal. — An amendment proposed by Session Laws 1985, c. 768, s. 8, and defeated at the primary election held on May 6, 1986, would have amended this section

by adding "except that those elected in 1986 and 1988 shall serve for a term of five years" at the end of the second sentence.

Sec. 12. Jurisdiction of the General Court of Justice.

CASE NOTES

I. GENERAL CONSIDERATION.

The subject matter jurisdiction of the clerks of the superior court can only be conferred by statute. In re Locklear, 314 N.C. 412, 334 S.E.2d 46 (1985).

Cited in State ex rel. Edmisten v. Tucker, 312 N.C. 326, 323 S.E.2d 294 (1984); L. Harvey & Son Co. v. Harman, 76 N.C. App. 191, 333 S.E.2d 47 (1985); State v. Bolt, 81 N.C. App. 133, 344 S.E.2d 51 (1986); Lea Co. v. North Carolina Bd. of Transp., 317 N.C. 254, 345 S.E.2d 355 (1986).

II. SUPREME COURT.

A. In General.

Issuance of Remedial Writs, etc. —

A judge of the superior court has no authority or jurisdiction to issue a writ of mandamus or prohibition to a district court judge. Those remedies are reserved by subdivision (1) of this section to the Supreme Court. In re Redwine, 312 N.C. 482, 322 S.E.2d 769 (1984).

Sec. 13. Forms of action; rules of procedure.

CASE NOTES

IV. RULES OF PROCEDURE.

The General Assembly was without authority, etc. —

In accord with the main volume. See

State v. O'Neal, 77 N.C. App. 600, 335 S.E.2d 920 (1985).

Sec. 16. Terms of office and election of Justices of the Supreme Court, Judges of the Court of Appeals, and Judges of the Superior Court.

Defeated Amendment Proposal. — An amendment proposed by Session Laws 1985, c. 768, s. 6 and defeated at the primary election held on May 6, 1986, would have amended this section

by adding "except that those elected in 1982, 1984, 1986, and 1988 shall hold office for terms of nine years" at the end of the first sentence.

Sec. 18. District Attorney and prosecutorial districts.

(1) *District Attorneys.* The General Assembly shall, from time to time, divide the State into a convenient number of prosecutorial districts, for each of which a District Attorney shall be chosen for a term of four years by the qualified voters thereof, at the same time and places as members of the General Assembly are elected. Only persons duly authorized to practice law in the courts of this State shall be eligible for election or appointment as a District Attorney. The District Attorney shall advise the officers of justice in his district, be responsible for the prosecution on behalf of the State of all criminal actions in the Superior Courts of his district, perform such duties related to appeals therefrom as the Attorney General may require, and perform such other duties as the General Assembly may prescribe.

(1973, c. 394, s. 1; 1983, c. 298, s. 2.)

Only Part of Section Set Out. — As the rest of the section was not affected by the amendment, it is not set out.

Effect of Amendments. —

The amendment adopted by vote of the people at the general election held Nov. 6, 1984, effective January 1, 1985, inserted the present second sentence of paragraph (1).

Defeated Amendment Proposals.

— An amendment proposed by Session Laws 1985, c. 768, s. 7, and defeated at the primary election held on May 6, 1986, would have amended this section

by adding "except that those elected in 1986 and 1988 shall serve for a term of five years" at the end of the first sentence of subsection (1).

An amendment proposed by Session Laws 1985, c. 768, s. 9.1(1), and defeated at the primary election held on May 6, 1986, would have amended this section by adding "except in 1988 at the same time and places as members of the United States House of Representatives are elected" at the end of the first sentence of subsection (1).

CASE NOTES

Cited in *State v. Rogers*, 68 N.C. App. 358, 315 S.E.2d 492 (1984).

Sec. 19. Vacancies.

Unless otherwise provided in this Article, all vacancies occurring in the offices provided for by this Article shall be filled by appointment of the Governor, and the appointees shall hold their places until the next election for members of the General Assembly that is held more than 60 days after the vacancy occurs, when elections shall be held to fill the offices. When the unexpired term of any of the offices named in this Article of the Constitution in which a vacancy has occurred, and in which it is herein provided that the Governor shall fill the vacancy, expires on the first day of January succeeding the next election for members of the General Assembly, the Governor shall appoint to fill that vacancy for the unexpired term of the office. If any person elected or appointed to any of these offices shall fail to qualify, the office shall be appointed to, held, and filled as provided in case of vacancies occurring therein. All incumbents of these offices shall hold until their successors are qualified. (1985 (Reg. Sess., 1986), c. 920, s. 2.)

Effect of Amendments. — The amendment adopted by vote of the people at the general election held Nov. 4, 1986, effective Jan. 1, 1987, substituted "60 days" for "30 days" in the first sentence.

ARTICLE V

FINANCE

Sec. 2. State and local taxation.

Cross References. — For provision authorizing a county to contract with and appropriate money to private entities in order to carry out any authorized public purpose, see § 153A-449. For provision that a city may contract with and appropriate money to private entities in order to carry out any authorized public purpose, see § 160A-20.1.

Legal Periodicals. —

For article, "All the News That's Fit to

Tax: First Amendment Limitations on State and Local Taxation of the Press," see 21 Wake Forest L. Rev. 59 (1985).

For note on the North Carolina sales and use tax exemption for newspapers, in light of *In re Village Publishing Corp.*, 312 N.C. 211, 322 S.E.2d 155 (1984), appeal dismissed, 472 U.S. 1001, 105 S. Ct. 2693, 86 L. Ed. 2d 710 (1985), see 21 Wake Forest L. Rev. 145 (1985).

CASE NOTES

I. GENERAL CONSIDERATION.

The North Carolina Sales and Use Tax Act does not violate the equal protection clause of the Fourteenth Amendment of the United States Constitution or the principle of equitable taxation found in this section. *In re Assessment of Additional N.C. & Orange County Use Taxes*, 312 N.C. 211, 322 S.E.2d 155 (1984), appeal dismissed, 472 U.S. 1001, 105 S. Ct. 2693, 86 L. Ed. 2d 710 (1985).

A bailment surcharge imposed on each case of distilled spirits shipped

from ABC warehouse to ABC stores is not a tax; the cost of liquor enforcement is a burden incident to the privilege of buying spirituous liquors in the state and such a surcharge is not unconstitutional as a tax imposed in violation of N.C. Const., Art. II, § 23 or of this section. *North Carolina Ass'n of ABC Bds. v. Hunt*, 76 N.C. App. 290, 332 S.E.2d 693, cert. denied, 314 N.C. 667, 336 S.E.2d 400 (1985).

Quoted in *In re City of Durham Annexation Ordinance Numbered 5991 for Area A*, 69 N.C. App. 77, 316 S.E.2d 649 (1984).

Stated in *Hed, Inc. v. Powers*, — N.C. App. —, 352 S.E.2d 265 (1987).

IV. CLASSIFICATION.

A. In General.

Requirement of Uniformity Extends, etc. —

Although the uniformity requirement is literally confined to taxes on property, it extends to license, franchise and other taxes. *First Carolina Investors v. Lynch*, 78 N.C. App. 583, 337 S.E.2d 691 (1985).

Discretion in Classification. — The power to classify subjects of taxation carries with it the discretion to select them, and a wide latitude is accorded taxing authorities. In *re Champion Int'l Corp.*, 74 N.C. App. 639, 329 S.E.2d 691, cert. denied and appeal dismissed, 314 N.C. 540, 335 S.E.2d 15 (1985).

Reasonableness of Classification. —

The only limitation upon the power of classification is that the classification be founded upon reasonable, and not arbitrary, distinctions. In *re Champion Int'l Corp.*, 74 N.C. App. 639, 329 S.E.2d 691, cert. denied and appeal dismissed, 314 N.C. 540, 335 S.E.2d 15 (1985).

A classification will be upheld if it is reasonable and not arbitrary and rests upon some ground of difference having a fair and substantial relation to the object of the legislation, so that all persons similarly circumstanced will be treated alike. *First Carolina Investors v. Lynch*, 78 N.C. App. 583, 337 S.E.2d 691 (1985).

On review, wide latitude is accorded the General Assembly; the only limitation on its power is that the classification must be founded upon reasonable, and not arbitrary, distinctions. *State v. Rippey*, 80 N.C. App. 232, 341 S.E.2d 98 (1986).

Courts to Determine Validity of Classifications. — The uniformity rule of this section requires the courts, when the validity of a tax statute is challenged on the ground of discrimination, to ascertain if in fact there is a difference in the classes taxed. *First Carolina Investors v. Lynch*, 78 N.C. App. 583, 337 S.E.2d 691 (1985).

Contention that § 105-282.7 was invalid because its effect was to tax only the appellant was without merit, as on its face § 105-282.7 uniformly operates without discrimination or distinction upon all persons composing the described class, and as even appellant's

own evidence did not show that the law applied only to appellant, but merely established that no one knew whether the statute had been applied to other taxpayers during the one year it had been in effect. In *re Champion Int'l Corp.*, 74 N.C. App. 639, 329 S.E.2d 691, cert. denied and appeal dismissed, 314 N.C. 540, 335 S.E.2d 15 (1985).

B. Illustrative Cases.

Assessment of tax under § 105-114 against a business trust did not violate the uniformity requirement of this section on grounds that it was similar to a limited partnership, which is not subject to the franchise tax. *First Carolina Investors v. Lynch*, 78 N.C. App. 583, 337 S.E.2d 691 (1985).

Leasehold Interests in Government Owned Croplands and Forestlands. —

Classifying for taxation under § 105-282.7 leasehold interests in government owned croplands and forestlands that are used in connection with a business conducted for profit seems eminently reasonable. In *re Champion Int'l Corp.*, 74 N.C. App. 639, 329 S.E.2d 691, cert. denied and appeal dismissed, 314 N.C. 540, 335 S.E.2d 15 (1985).

Subsections (1) and (2) of this section, which require that taxation be done in a just and equitable manner and that no class of property be taxed except by uniform rule and that every classification be made by general law, are no bar to taxing lessee and users in forest lands owned by the State, under § 105-282.7, "to the same extent as if the lessee or user owned the property," while other leasehold interests are taxed at true value. In *re Champion Int'l Corp.*, 74 N.C. App. 639, 329 S.E.2d 691, cert. denied and appeal dismissed, 314 N.C. 540, 335 S.E.2d 15 (1985).

Section 113-156.1, requiring managers of ocean fishing piers to obtain a license, satisfies the requirements of uniformity, equal protection and due process under both the state and federal Constitutions, as the opportunity to establish an exclusive zone around ocean piers, pursuant to § 113-185(a), and the cost to the State of enforcing this zone, distinguishes ocean piers from other piers and provides reasonable grounds for their separate license tax classification. *State v. Rippey*, 80 N.C. App. 232, 341 S.E.2d 98 (1986).

Sec. 5. Acts levying taxes to state objects.

CASE NOTES

Section 113-156.1 does not violate this section, which provides that every act of the General Assembly levying a tax shall state the special object to which it is to be applied and that it shall be applied to no other purpose, as it is part of Subchapter IV of Chapter 113,

the special purpose of which is the conservation of marine and estuarine and wildlife resources, and it is evident that the license tax is levied and applied for this purpose. *State v. Rippey*, 80 N.C. App. 232, 341 S.E.2d 98 (1986).

Sec. 10. Joint ownership of generation and transmission facilities.

CASE NOTES

Cited in *State ex rel. Utilities Comm'n v. Carolina Util. Customers*

Ass'n, 314 N.C. 171, 333 S.E.2d 259 (1985).

Sec. 11. Capital projects for agriculture.

Editor's Note. — Session Laws 1985 (Reg. Sess., 1986), c. 814, s. 1 and c. 933, s. 1 both added new sections to Article V. These amendments were adopted by

vote of the people at the election held Nov. 4, 1986, and have been designated §§ 12 and 13 of Article V at the direction of the Revisor of Statutes.

Sec. 12. Higher education facilities.

Notwithstanding any other provisions of this Constitution, the General Assembly may enact general laws to authorize the State or any State entity to issue revenue bonds to finance and refinance the cost of acquiring, constructing, and financing higher education facilities to be operated to serve and benefit the public for any non-profit private corporation, regardless of any church or religious relationship provided no cost incurred earlier than five years prior to the effective date of this section shall be refinanced. Such bonds shall be payable from any revenues or assets of any such nonprofit private corporation pledged therefor, shall not be secured by a pledge of the full faith and credit of the State or such State entity or deemed to create an indebtedness requiring voter approval of the State or such entity, and, where the title to such facilities is vested in the State or any State entity, may be secured by an agreement which may provide for the conveyance of title to, with or without consideration, such facilities to the nonprofit private corporation. The power of eminent domain shall not be used pursuant hereto. (1985 (Reg. Sess., 1986), c. 814.)

Cross References. — For the Higher Educational Facilities Finance Act, see § 115E-1 et seq.

Editor's Note. — This section was

added by constitutional amendment adopted by vote of the people at the election held Nov. 4, 1986, and became effective November 25, 1986.

Sec. 13. Seaport and airport facilities.

(1) Notwithstanding any other provision of this Constitution, the General Assembly may enact general laws to grant to the State, counties, municipalities, and other State and local governmental entities all powers useful in connection with the development of new and existing seaports and airports, and to authorize such public bodies:

- (a) To acquire, construct, own, own jointly with public and private parties, lease as lessee, mortgage, sell, lease as lessor, or otherwise dispose of lands and facilities and improvements, including undivided interests therein;
- (b) To finance and refinance for public and private parties seaport and airport facilities and improvements which relate to, develop or further waterborne or airborne commerce and cargo and passenger traffic, including commercial, industrial, manufacturing, processing, mining, transportation, distribution, storage, marine, aviation and environmental facilities and improvements; and
- (c) To secure any such financing or refinancing by all or any portion of their revenues, income or assets or other available monies associated with any of their seaport or airport facilities and with the facilities and improvements to be financed or refinanced, and by foreclosable liens on all or any part of their properties associated with any of their seaport or airport facilities and with the facilities and improvements to be financed or refinanced, but in no event to create a debt secured by a pledge of the faith and credit of the State or any other public body in the State. (1985 (Reg. Sess., 1986), c. 933, s. 1.)

Editor's Note. — This section was added by constitutional amendment adopted by vote of the people at the election held Nov. 4, 1986, and became effective November 25, 1986.

As enacted and adopted, this section contained the designation "(1)," but no designation "(2)."

ARTICLE VI

SUFFRAGE AND ELIGIBILITY TO OFFICE

Sec. 2. Qualifications of voter.

OPINIONS OF ATTORNEY GENERAL

Nolo Contendere Plea Brings No Forfeiture of Rights. — At least under the wording of the current Art. VI, § 2 of the Constitution of North Carolina, a plea of nolo contendere or "no contest" to a felony charge would not result in the

forfeiture of any rights of citizenship, including the right to vote. See opinion of Attorney General to Ms. Bessie J. Cherry, Clerk of Court, Washington, North Carolina, 49 N.C.A.G. 134 (1980).

Sec. 8. Disqualifications for office.

Legal Periodicals. — For essay, "Something There Is That Doesn't Love a Wall: Reflections on the History of North Carolina's Religious Test for Public Office," see 64 N.C.L. Rev. 1071 (1986).

OPINIONS OF ATTORNEY GENERAL

Nolo Contendere Plea Brings No Forfeiture of Rights. — At least under the wording of the current Art. VI, § 2 of the Constitution of North Carolina, a plea of nolo contendere or "no contest" to a felony charge would not result in the

forfeiture of any rights of citizenship, including the right to vote. See opinion of Attorney General to Ms. Bessie J. Cherry, Clerk of Court, Washington, North Carolina, 49 N.C.A.G. 134 (1980).

Sec. 9. Dual office holding.

CASE NOTES

Cited in *Ratcliff v. County of Buncombe*, 759 F.2d 1183 (4th Cir. 1985).

OPINIONS OF ATTORNEY GENERAL

Police Officer Holding Position as Elected Officer. — A person holding an appointive office as a police officer can concurrently hold a position as an elected officer in either State or local

government, including as a school board member. See opinion of Attorney General to Captain Bobby Kilgore, Monroe Public Safety Department, 55 N.C.A.G. 34 (1985).

ARTICLE VII

LOCAL GOVERNMENT

Section 1. General Assembly to provide for local government.

Legal Periodicals. —

For 1984 survey, "Competitive Annexation Among Municipalities: North Car-

olina Adopts the Prior Jurisdiction Rule," see 63 N.C.L. Rev. 1260 (1985).

CASE NOTES

Annexation Provisions Not Invalid as Special Legislation. — Sections 160A-45 et seq. do not violate N.C. Const., art. II, § 24, which prohibits the General Assembly from enacting "any local, private, or special act or resolution" in regard to certain enumerated subjects. This constitutional provision does not apply to annexation proceedings by municipalities, since this section authorizes the General Assembly "ex-

cept as otherwise prohibited by this Constitution" to "give such powers and duties to counties, cities, and towns and other governmental subdivisions as it may deem advisable," and no other provision of the Constitution prohibits the General Assembly from enacting special legislation for the annexation of areas by municipalities. *Campbell v. City of Greensboro*, 70 N.C. App. 252, 319 S.E.2d 323, cert. denied and appeal dis-

missed, 312 N.C. 492, 322 S.E.2d 553 nexation Ordinance Numbered 5991 for
(1984). Area A, 69 N.C. App. 77, 316 S.E.2d 649
 Quoted in In re City of Durham An- (1984).

Sec. 2. Sheriffs.

Defeated Amendment Proposal. — as members of the United States House
An amendment proposed by Session of Representatives are elected" following
Laws 1985, c. 768, ss. 9.1(2) and (10), "General Assembly are enacted," and by
and defeated at the primary election adding "except that those elected in
held on May 6, 1986, would have 1986 or 1988 shall serve for terms of five
amended this section by inserting "ex- years" at the end of the section.
cept in 1988 at the same time and places

ARTICLE VIII CORPORATIONS

Section 1. Corporate charters.

CASE NOTES

Cited in In re City of Durham Annex- Area A, 69 N.C. App. 77, 316 S.E.2d 649
ation Ordinance Numbered 5991 for (1984).

ARTICLE IX EDUCATION

Section 1. Education encouraged.

Legal Periodicals. — Thoughts on Home Education," see 64
For note, "Delconte v. State: Some N.C.L. Rev. 1302 (1986).

CASE NOTES

Quoted in Faulkner v. New Bern-
Craven County Bd. of Educ., 311 N.C.
42, 316 S.E.2d 281 (1984).

Sec. 2. Uniform system of schools.

CASE NOTES

A student's right to an education As a general rule, a student may be
may be constitutionally denied when constitutionally suspended or expelled
it is outweighed by the school's interest for misconduct, whenever the conduct is
in protecting other students, teachers, of a type the school may legitimately
and school property, and in preventing prohibit, and procedural due process is
the disruption of the educational system. provided. In re Jackson, — N.C. App. —,
In re Jackson, — N.C. App. —, 352 352 S.E.2d 449 (1987).
S.E.2d 449 (1987).

OPINIONS OF ATTORNEY GENERAL

As to the rights of a student to attend the school system in which he, his parents or legal guardian are domiciled, and the duty and authority of local boards of education concerning the enrollment of students who are and are

not domiciled in their school systems, see opinion of Attorney General to Mr. C. Wade Mobley, Superintendent, Rowan County Schools, 55 N.C.A.G. 61 (1985).

Sec. 3. School attendance.

Legal Periodicals. —

For note, "Delconte v. State: Some

Thoughts on Home Education," see 64 N.C.L. Rev. 1302 (1986).

CASE NOTES

"Educated by other means." — The North Carolina Constitution requires the General Assembly to permit children of this State to be "educated by

other means" than in the public schools. Delconte v. State, 313 N.C. 384, 329 S.E.2d 636 (1985), reversing, 62 N.C. App. 262, 308 S.E.2d 898 (1983).

Sec. 5. Powers and duties of Board.

OPINIONS OF ATTORNEY GENERAL

Establishing Certified Employees' Salaries and Amount of Work. — Article IX, § 5 of the Constitution and §§ 115C-12(9), 115C-272(a), 115C-284(c), 115C-296 and 115C-315(d) give the State Board of Education the authority to establish salary schedules for all

certified employees and to establish the amount of work required to earn those salaries. See opinion of Attorney General to Mr. James O. Barber, Controller, State Board of Education, 55 N.C.A.G. 1 (1985).

Sec. 7. County school fund.

Cross References. — As to allocation of revenues to local school administrative units, and definition of "clear proceeds," as referred to in this section, see § 115C-437.

Legal Periodicals. — For article, "Fines, Penalties, and Forfeitures: An Historical and Comparative Analysis," see 65 N.C.L. Rev. 49 (1986).

CASE NOTES

The 1985 amendment to § 115C-437, defining "clear proceeds," could only be effective as to monies collected because of traffic violations occurring on and after July 17, 1985. Cauble v. City of Asheville, 314 N.C. 598, 336 S.E.2d 59 (1985).

Disposition of Parking Fines. —

The money penalty collected by a city from a motorist who violates its ordinance prohibiting overtime parking constitutes a penalty or fine collected for the breach of a state penal law, even if the motorist has not been convicted of

violating § 14-4. Cauble v. City of Asheville, 314 N.C. 598, 336 S.E.2d 59 (1985).

The "clear proceeds" of a forfeiture. —

Reasonable costs of collection constitutionally may be deducted from the gross proceeds of the fines collected by a city for overtime parking. Cauble v. City of Asheville, 314 N.C. 598, 336 S.E.2d 59 (1985).

The test for determining permissible deductions, etc.

In accord with main volume. See Harrell v. Harriet & Henderson Yarns, 314

N.C. 566, 336 S.E.2d 47 (1985), decided prior to 1985 amendment to § 115-437 defining "clear proceeds."

The costs of collection do not include the costs associated with enforcing the ordinance, but are limited to the administrative costs of collecting the funds. *Cauble v. City of Asheville*, 314 N.C. 598, 336 S.E.2d 59 (1985).

Mother Held Entitled to Proceeds

of Forfeited Bond. — A bond posted by father to ensure that minor child would be returned to the jurisdiction of the court, which was forfeited, was not available to the county school fund, but would be distributed to mother, who had been awarded custody and who was damaged by the act of the non-custodial father. *Mussallam v. Mussallam*, 83 N.C. App. 213, 349 S.E.2d 618 (1986).

Sec. 8. Higher education.

OPINIONS OF ATTORNEY GENERAL

TACIT Program Upheld. — The TACIT Program, offered by North Carolina State University's Department of Urban Affairs to units of local government to educate employees with respect to selecting appropriate computer equip-

ment, does not violate the provisions of § 66-58. See opinion of Attorney General to Mr. George E. Tatum, Register of Deeds, Cumberland County, 55 N.C.A.G. 101 (1986).

Sec. 9. Benefits of public institutions of higher education.

OPINIONS OF ATTORNEY GENERAL

TACIT Program Upheld. — The TACIT Program, offered by North Carolina State University's Department of Urban Affairs to units of local government to educate employees with respect to selecting appropriate computer equip-

ment, does not violate the provisions of § 66-58. See opinion of Attorney General to Mr. George E. Tatum, Register of Deeds, Cumberland County, 55 N.C.A.G. 101 (1986).

ARTICLE X

HOMESTEADS AND EXEMPTIONS

Section 1. Personal property exemption.

CASE NOTES

Cited in *In re Mims*, 49 Bankr. 283 (Bankr. E.D.N.C. 1985); *First Union Nat'l Bank v. Rolfe*, 83 N.C. App. 625, 351 S.E.2d 117 (1986).

Sec. 2. Homestead exemptions.

CASE NOTES

I. HOMESTEAD EXEMPTION GENERALLY.

Cited in *In re Mims*, 49 Bankr. 283 (Bankr. E.D.N.C. 1985).

Sec. 4. Property of married women secured to them.

CASE NOTES

Purpose to Give Wives Same Rights as Husbands. — The historical context of this Article makes clear that wives were simply accorded rights in their property similar to those rights husbands already enjoyed in their own property. *Armstrong v. Armstrong*, — N.C. App. —, 354 S.E.2d 350 (1987).

Section Subject to Limitation Prescribed by General Assembly. — Whatever the remedial purpose of Art. X, § 4, it is by its own terms subject to limitations prescribed by the General Assembly, including any statutory classification and distribution of property under the Equitable Distribution Act.

Under § 50-20(b) of that Act, military retirement pay is treated no differently, whether its recipient is male or female. *Armstrong v. Armstrong*, — N.C. App. —, 354 S.E.2d 350 (1987).

The requirement that an equitable distribution of property must follow a decree of absolute divorce is statutory and not constitutional. See opinion of Attorney General to The Honorable Henson P. Barnes, North Carolina Senate, _____ N.C.A.G. _____ (July 15, 1987).

Stated in *White v. White*, 312 N.C. 770, 324 S.E.2d 829 (1985).

Sec. 5. Insurance.

CASE NOTES

Treatment of Insurance Proceeds when Received by Beneficiary. — Upon filing a bankruptcy petition, a debtor can claim as exempt the value of life insurance policy. There is no provision, however, that extends the protection of the life insurance exemption to the beneficiary of the policy once the proceeds are in the beneficiary's hands. The proceeds are treated like any other asset of the beneficiary and are avail-

able to his creditors, except to the extent that an exemption or other protection is available to the beneficiary in his own right under applicable law. The result is no different where the beneficiary is the codebtor of the insured in a joint bankruptcy case. *Butler v. Sharik*, 41 Bankr. 388 (Bankr. E.D.N.C. 1984).

Cited in *In re Ragan*, 64 Bankr. 384 (Bankr. E.D.N.C. 1986).

ARTICLE XI

PUNISHMENTS, CORRECTIONS, AND CHARITIES

Section 1. Punishments.

CASE NOTES

Quoted in *Henry v. Edmisten*, 315 N.C. 474, 340 S.E.2d 720 (1986).

Sec. 2. Death punishment.

Legal Periodicals. — For symposium address on the death penalty in North Carolina, see 8 Campbell L. Rev. 1 (1985).

For article, "Prosecutorial Abuse of

Peremptory Challenges in Death Penalty Litigation: Some Constitutional and Ethical Considerations," see 8 Campbell L. Rev. 71 (1985).

Sec. 3. Charitable and correctional institutions and agencies.

CASE NOTES

Obligation of County to Pay for Health Care of Indigent Sick. — A county does not have an obligation, under this section and N.C. Const., Art. XI, § 4, to pay for hospital care for its indigent residents. In the absence of a delegation by the State to the counties of the

obligation to pay the costs of medical care of the indigent sick, such obligation is that of the State. Craven County Hosp. Corp. v. Lenoir County, 75 N.C. App. 453, 331 S.E.2d 690, cert. denied, 314 N.C. 663, 336 S.E.2d 620 (1985).

Sec. 4. Welfare policy; board of public welfare.

Legal Periodicals. — For article, "The Obligation of North Carolina Municipalities and Hospital Authorities to

Provide Uncompensated Hospital Care to the Medically Indigent," see 20 Wake Forest L. Rev. 317 (1984).

CASE NOTES

Obligation of County to Pay for Health Care of Indigent Sick. — A county does not have an obligation, under N.C. Const., Art. XI, § 3 and this section, to pay for hospital care to its indigent residents. In the absence of a delegation by the State to the counties of

the obligation to pay the costs of medical care of the indigent sick, such obligation is that of the State. Craven County Hosp. Corp. v. Lenoir County, 75 N.C. App. 453, 331 S.E.2d 690, cert. denied, 314 N.C. 663, 336 S.E.2d 620 (1985).

ARTICLE XIV MISCELLANEOUS

Sec. 3. General laws defined.

CASE NOTES

Applied in In re City of Durham Annexation Ordinance Numbered 5991 for Area A, 69 N.C. App. 77, 316 S.E.2d 649 (1984); Floyd v. Lumberton City Bd. of Educ., 71 N.C. App. 670, 324 S.E.2d 18 (1984).

Cited in Town of Emerald Isle v. State, 78 N.C. App. 736, 338 S.E.2d 581 (1986).

Sec. 5. Conservation of natural resources.

OPINIONS OF ATTORNEY GENERAL

Three-Fifths Vote Not Necessary for Flowage Easement. — Dedication of Umstead State Park to the State Nature and Historic Preserve as authorized by this section does not require a vote of three-fifths of the members of each

House of the General Assembly before a flowage easement may be granted to Wake County for flood control purposes. See opinion of Attorney General to Mr. Charles L. Holliday, State Building Division, 55 N.C.A.G. 105 (1986).

STATE OF NORTH CAROLINA

DEPARTMENT OF JUSTICE

Raleigh, North Carolina

November 1, 1987

I, Lacy H. Thornburg, Attorney General of North Carolina, do hereby certify that the foregoing 1987 Cumulative Supplement to the General Statutes of North Carolina was prepared and published by The Michie Company under the supervision of the Department of Justice of the State of North Carolina.

LACY H. THORNBURG
Attorney General of North Carolina

TABLE OF COMPARABLE SECTIONS: 1868 CONSTITUTION TO 1970 CONSTITUTION

Editor's Note. — The references in this table to the Constitution of 1868 refer to the Constitution of 1868, as amended through 1969.

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	8	58-30.5 Repealed	879	5	150B-23, 150B-33,
	9	58-124.31			150B-34, 150B-44
	10	20-7	879	6	150B-24, 150B-25,
	11	20-7			150B-27, 150B-31
	12	20-13.2, 20-19	879	7	150B-29
	13	20-16.1, 20-179.3		8	150B-32
	14	20-13, 20-16.1	879	9, 10	150B-33
	15	58-248.33		11	150B-35
	16	20-26	879	12	150B-36
	17	58-30.4 note, 58-30.5		13	150B-37
		note, 58-124.31 note,	879	14	7A-757
		58-124.33 note,		15	7A-758
		58-248.33 note,	879	16	150B-45
		58-248.34 note,		17	150B-49
	18	58-124.31 note,	879	18	150B-50
		58-124.33 note,		19	150B-51
	19	20-7 note, 20-13	879	20	150B-52
		note, 20-13.2 note,		21	150B-2
		20-16.1 note, 20-19	879	22	150B-47
		note, 20-26 note,		23	150B-34
		20-179.3 note,	879	24	150B-36
		58-30.4 note, 58-30.5		25	150B-37
		note, 58-124.23 note,	879	26	150B-33
		58-124.31 note,		27	150B-44
		58-124.33 note,	879	1.2	15A-1380.2, 148-4.1
		58-248.33 note,		2	153A-19
		58-248.34 note,	879	3	160A-29, 160A-39,
		58-248.41 note			160A-51
	20	58-30.4 note, 58-30.5	879	4	160A-58.8
		note, 58-124.31 note,		5	163-132.2
		58-124.33 note,	879	6	163-132.2
		58-248.33 note,		6.1	150B-23
		58-248.34 note,	879	6.2	90-210.18 note,
		58-248.41 note			90-210.20 note,
871	1	113-77.6 to 113-77.9	879		90-210.21 note,
	2	113-77.6 note			90-210.25 note,
872	1	105-130.27	879		90-210.27 note,
	2	105-151.6			90-210.27A note,
873	1	120-70.7 note,	879		90-210.31 note
		120-180 note		7	153A-19 note,
	13.1	120-180 to 120-188			160A-58.8 note

General Statutes of North Carolina

Sections Added, Amended or Repealed 1987

This table lists the sections of the General Statutes of North Carolina which were added, amended or repealed during the 1987 Regular Session of the General Assembly.

In instances where the effective date of an act has been postponed beyond January 1, 1988, the effective date of such act is indicated in the right-hand column.

<i>G.S. §</i>	<i>Effect</i>	<i>Session Laws Chapter</i>	<i>Section</i>	<i>Postponed Effective Date</i>
1-17	Amended	798		
1-44.2	Added	433	1	
1-239	Amended	497	1	
1-285	Amended	462		
1-339.1	Amended	550	12	
1-339.29	Amended	627	1	
1-339.68	Amended	627	2	
1-538.2	Added	519	1	
1-539.10	Added	505	1(2)	
1-539.11	Added	505	1(2)	
1A-1,	Amended	288	1	
1A-1, Rule	Amended	859	2	
3				
1A-1, Rule	Amended	859	4	
16				
1A-1, Rule	Amended	550	13	
17				
1A-1, Rule	Amended	859	3	
26				
1A-1, Rule	Amended	73		
33				
1A-1, Rule	Amended	613	1	
33				
1A-1, Rule	Amended	613	2	
34				
1A-1, Rule	Amended	613	3	
36				
1A-1, Rule	Amended	462	1	
62				
1A-1, Rule	Amended	288	1	
68.1				
7A-6	Amended	404		
7A-27	Amended	679		
7A-29	Amended	850	2	
7A-39.14	Amended	703	5	
	Amended	738	131(b)	
	Amended	738	131(a)	
7A-41	Amended	509	1	
7A-41	Amended	549	6.6	
7A-45	Amended	509	6	
7A-45	Repealed	509	7	1/1/89
7A-45.1	Added	738	123(a)	
7A-47.2	Added	509	2	1/1/89
7A-47.3	Added	509	3	1/1/89

1987 CUMULATIVE SUPPLEMENT

<i>G.S.</i>		<i>Session Laws</i>		<i>Postponed Effective Date</i>
<i>§</i>	<i>Effect</i>	<i>Chapter</i>	<i>Section</i>	
7A-52	Amended	738	132	
7A-60	Amended	509	4	
7A-60	Amended	509	5	
7A-60	Amended	738	127(a)	
7A-65	Amended	738	33(a)	
7A-95	Amended	384	1	
7A-101	Amended	738	20	
7A-102	Amended	738	21(a)	
7A-111	Amended	29	1	
7A-111	Amended	550	14	
7A-130	Amended	509	14	
7A-133	Amended	738	126(a)	12/1/88
7A-133	Amended	738	130(a)	
7A-171.1	Amended	564	12	
7A-171.1	Amended	738	22	
7A-171.1	Amended	738	34	
7A-180	Amended	355	3	
7A-198	Amended	384	2	
7A-220	Amended	628		
7A-228	Amended	553		
7A-244	Amended	573	1	
7A-273	Amended	355	1	
7A-273	Amended	355	2	
7A-289.24	Amended	371	2	
7A-289.25	Amended	550	15	
7A-289.26	Amended	282	1	
7A-289.28	Amended	282	2	
7A-307	Amended	837		
7A-343.1	Amended	877	1	
7A-451	Amended	550	16	
7A-465	Amended	738	35	
7A-467	Amended	738	33(b)	
7A-517	Amended	162		
7A-517	Amended	695		
7A-523	Amended	409	2	
7A-544.1	Added	409	1	
7A-551	Amended	323	1	
7A-562	Amended	409	3	
7A-574	Amended	101		
7A-611	Amended	144		
7A-650	Amended	598	2	
7A-652	Amended	100		
7A-652	Amended	372		
7A-657	Amended	810		
7A-675	Amended	297		
7A-751	Amended	774	1	
	Amended	827	1	
7A-757	Amended	878	14	
7A-758	Amended	827	1	
	Amended	878	15	
8-50.2	Amended	318		
8-50.2	Amended	827	60	
8-53.3	Amended	323	2	
9-32	Added	702	1	
10-12	Amended	277	9	
12-3.1	Amended	564	35	
14-17	Amended	693		
14-27.8	Amended	742		
14-32.2	Added	527	1	

SECTIONS ADDED, AMENDED OR REPEALED 1987

<i>G.S. §</i>	<i>Effect</i>	<i>Session Laws Chapter</i>	<i>Section</i>	<i>Postponed Effective Date</i>
14-34.4	Added	313	1	
14-72.1	Amended	660		
14-96.1	Amended	752	2	
14-122.1	Amended	388		
14-126	Repealed	700	2	
14-132.1	Repealed	700	2	
14-134	Repealed	700	2	
14-143	Repealed	700	2	
14-159.11 to				
14-159.14	Added	700	1	
14-159.20	Added	449	1	
14-159.21	Added	449	1	
14-159.22	Added	449	1	
14-159.23	Added	449	1	
14-234	Amended	570		
14-234.1	Added	616	1	
14-250	Amended	675		
14-269.4	Amended	820		
14-286.2	Added	690	1	
14-288.4	Amended	671	1	
14-309.7	Amended	866	1	
14-309.7	Amended	866	2	
14-309.11	Amended	866	3	
14-309.14	Amended	701		
14-320	Repealed	716	2	
14-399	Amended	208	1	
14-399	Amended	757	1	
14-401.13	Amended	551	1	
14-401.13	Amended	551	2	
14-404	Amended	518	1	
14-406	Amended	115	1	
14-409.3	Amended	518	2	
14-409.5	Amended	115	2	
15A-402	Amended	671	3	
15A-504	Amended	282	3	
15A-534	Amended	481	1	
15A-535	Amended	481	2	
15A-544	Amended	321		
15A-701	Amended	137	1	
15A-1003	Amended	596	5	
15A-1011	Amended	355	4	
15A-1021	Amended	598	3	
15A-1321	Amended	596	6	
15A-1343	Amended	282	33	
	Amended	397	1	
	Amended	579	1	
	Amended	579	2	
	Amended	598	1	
	Amended	819	32	
15A-1351	Amended	738	111(e)	
15A-1352	Amended	207	3	
15A-1371	Amended	47	1	
	Amended	783	7	
15A-1374	Amended	579	3	
15A-1380.2	Amended	7	5	
15A-1380.2	Amended	47		
15A-1380.2	Amended	783	7	
15A-1380.2	Amended	879	1.2	
15A-1432	Amended	398		

1987 CUMULATIVE SUPPLEMENT

<i>G.S. §</i>	<i>Effect</i>	<i>Session Laws Chapter</i>	<i>Section</i>	<i>Postponed Effective Date</i>
15A-1448	Amended	624	1	
15B-2	Amended	819	1-8	
15B-3	Amended	819	9, 10	
15B-4	Amended	819	11	
15B-6	Amended	819	12	
15B-7	Amended	819	13	
15B-8	Amended	819	14	
15B-9	Repealed	819	15	
15B-10	Amended	819	16	
15B-11	Amended	819	17-21	
15B-12	Amended	819	22	
15B-13	Amended	819	23	
15B-14	Amended	819	24	
15B-15	Amended	819	25	
15B-16	Amended	819	26	
15B-18	Amended	819	27	
15B-20	Amended	819	28	
15B-21	Amended	819	29	
15B-22	Amended	819	31	
15B-23	Added	819	30	
15B-24	Added	819	33	
15B-25	Added	819	36	
17C-3	Amended	282	4	
17E-7	Amended	783	8	
18B-101	Amended	443	1	
18B-200	Amended	827	1	
18B-203	Amended	136	1	
18B-204	Amended	136	2	
18B-208	Amended	832	1	
18B-404	Amended	136	3	
18B-405	Amended	136	4	
18B-600	Amended	766		
18B-601	Amended	14	1	
18B-603	Amended	136	5, 6	
	Amended	307	2	
	Amended	443	2	
18B-801	Amended	135		
18B-900	Amended	136	7, 8	
18B-1000	Amended	307	1	
	Amended	391	1	
18B-1001	Amended	391	2	
	Amended	434	1	
18B-1002	Amended	434	2	
18B-1004	Amended	35		
	Amended	308		
18B-1006	Amended	515		
18B-1006	Amended	760		
18B-1115	Amended	136	9	
19A-23	Amended	827	61	
19A-24	Amended	827	62	
19A-25	Amended	827	63	
19A-26	Amended	827	64	
19A-27	Amended	827	65	
19A-28	Amended	827	65	
19A-29	Amended	827	66	
19A-30	Amended	827	67	
19A-32	Amended	827	68	
19A-37	Amended	827	69	
20-1	Amended	827	2	
	Amended	847	1	

SECTIONS ADDED, AMENDED OR REPEALED 1987

G.S. §	Effect	Session Laws Chapter	Section	Postponed Effective Date
20-4.01	Amended	607	2	
	Amended	658	1	
20-7	Amended	869	10, 11	
20-7.2	Repealed	581	2	
20-13	Amended	744	3, 4	
	Amended	869	14	
20-13.2	Amended	869	12	
20-16	Amended	744	1, 2	
20-16.1	Amended	869	13, 14	
20-16.2	Amended	797	3	
20-17.1	Amended	720	1	
20-19	Amended	869	12	
20-24	Amended	581	1	
	Amended	658	2	
20-24.1	Amended	581	4	
20-24.2	Amended	581	3	
20-25	Amended	659		
20-26	Amended	869	16	
20-37.6	Amended	843		
20-39	Amended	552		
20-50.2	Amended	743	3	
20-51	Amended	608		
20-71.2	Added	607	1	
20-71.3	Added	607	1	
20-71.4	Added	607	1	
20-79.2	Amended	520		
20-81	Amended	545		
20-81.3	Amended	252	1	
	Amended	738	140	
	Amended	830	113(a)	
	Amended	830	116(a)-(c)	
20-81.9	Added	240	1	
20-81.10	Added	378	1	
20-87	Amended	333		
20-109	Amended	512	1	
20-114.1	Amended	146	1, 3	
20-116	Amended	272	1	
20-118	Amended	392		
	Amended	707	1-4	
20-125	Amended	266		
20-127	Amended	567		
20-129	Amended	611		
20-129.1	Amended	363		3/15/89
20-135.2A	Amended	623		
20-141	Amended	164		
20-143.1	Amended	126		
20-146.2	Amended	547	1	
20-162.1	Amended	736	1	
20-166.1	Amended	49		
20-172	Amended	125		
20-179	Amended	139		
	Amended	352	2	
	Amended	797	1	
20-179.2	Amended	352	1	
20-179.3	Amended	869	13	
20-181	Amended	581	5	
20-183.7	Amended	584	1-3	
20-187.2	Amended	122		

1987 CUMULATIVE SUPPLEMENT

<i>G.S.</i> §	<i>Effect</i>	<i>Session Laws</i> <i>Chapter</i>	<i>Section</i>	<i>Postponed</i> <i>Effective</i> <i>Date</i>
20-190.3	Amended	738	122	
20-196	Amended	525		
20-218	Amended	337	1	
20-218.2	Amended	337	2	
20-279.21	Amended	529		
20-286	Amended	381		
20-310	Amended	864	25	
20-321	Amended	69		
20-321	Amended	827	3	
20-351 to 20-351.10	Added	385	1	
24-1.1A	Amended	444	1	
	Amended	853	4	
24-1.2	Amended	853	4	
24-5	Amended	758		
24-10.1	Amended	447		
24-11.1	Added	735	1	
24-11.2	Added	735	1	
25-3-512	Amended	147		
25-9-403	Amended	792	6	
25-9-405	Amended	792	7, 8	
25-9-406	Amended	792	9	
25-9-407	Amended	792	10	
25A-2	Amended	282	5	
28A-4-1	Amended	357		
28A-14-1.1	Amended	277	8	
28A-19-6	Amended	286		
28A-21-1	Amended	783	1	
28A-23-2	Amended	550	17	
28A-25-1.1	Amended	670	1	
28A-25-2	Amended	670	2	
28A-25-3	Amended	670	3	
28A-25-4	Amended	670	4	
28A-25-5	Amended	670	5	
28A-25-6	Amended	282	6	
28A-27-2	Amended	694	1	
28A-27-5	Amended	694	2, 3	
31-23	Repealed	78	1	
31-24	Amended	78	2	
31-25	Repealed	78	1	
31-25.1	Repealed	78	1	
31-27	Amended	78	3	
31-42	Amended	86	1	
31-42	Amended	86	2	
32A-2	Amended	77	1	
32A-9	Amended	77	2	
33-1 to 33-35	Repealed	550	10	
33-35.1	Recodified as 35A-1360	550	9	
33-35.2	Recodified as 35A-1361	550	9	
33-36 to 33-47.1	Repealed	550	10	
33-48 to 33-49.1	Repealed	550	10	
33-50 to 33-55	Repealed	550	10	
33-67	Repealed	550	10	

SECTIONS ADDED, AMENDED OR REPEALED 1987

<i>G.S. §</i>	<i>Effect</i>	<i>Session Laws Chapter</i>	<i>Section</i>	<i>Postponed Effective Date</i>
33-68 to 33-77	Repealed	563	1	
33A-1 to 33A-24	Added	563	2	
34-2.1	Amended	550	18	
34-4	Amended	550	19	
35-1 to 35-1.41	Repealed	550	7	
35-1.7	Amended	783	2	
35-1.7	Repealed	550	7	
35-2 to 35-13	Repealed	550	7	
35-14 to 35-18	Recodified as 35A-1310 to 35A-1314	550	2	
35-19 to 35-29	Recodified as 35A-1320 to 35A-1330	550	3	
35-29.1 to 35-29.4	Recodified as 35A-1335 to 35A-1338	550	4	
35-29.5 to 35-29.10	Recodified as 35A-1340 to 35A-1345	550	5	
35-29.11 to 35-29.16	Recodified as 35A-1350 to 35A-1355	550	6	
35A-1101 to 35A-1116	Added	550	1	
35A-1120	Added	550	1	
35A-1130	Added	550	1	
35A-1201 to 35A-1207	Added	550	1	
35A-1210 to 35A-1216	Added	550	1	
35A-1220 to 35A-1228	Added	550	1	
35A-1230 to 35A-1239	Added	550	1	
35A-1240 to 35A-1244	Added	550	1	
35A-1250 to 35A-1253	Added	550	1	
35A-1260 to 35A-1269	Added	550	1	
35A-1270 to 35A-1273	Added	550	1	
35A-1280, 35A-1281	Added	550	1	
35A-1290 to 35A-1294	Added	550	1	
35A-1301 to 35A-1307	Added	550	1	
35A-1310 to 35A-1314	Added	550	2	
35A-1320 to 35A-1330	Added	550	3	
35A-1329	Amended	550	3.1	
35A-1330	Amended	550	3.2	

1987 CUMULATIVE SUPPLEMENT

<i>G.S. §</i>	<i>Effect</i>	<i>Session Laws Chapter</i>	<i>Section</i>	<i>Postponed Effective Date</i>
35A-1335 to 35A-1338	Added	550	4	
35A-1340 to 35A-1345	Added	550	5	
35A-1342	Amended	550	5	
35A-1343	Amended	550	5	
35A-1350 to 35A-1355	Added	550	6	
35A-1352	Amended	550	6	
35A-1353	Amended	550	6	
35A-1360	Added	550	9	
35A-1361	Added	550	9	
40A-3	Amended	2	1	
	Amended	564	13	
	Amended	783	6	
41-6.3	Added	706	1	
41A-5	Amended	603	1	
41A-7	Amended	603	2-4	
42-14.1	Added	458	1	
42-45	Added	478	1	
42-46	Added	530	1	
44-51.8	Amended	466		
44A-27	Amended	569		
45-20.1	Amended	277	1	
45-21.16A	Amended	493		
45-21.29	Amended	627	3	
45-21.47	Amended	277	10	
45-21.49	Added	277	10a	
45-36.3	Amended	662	1-3	
45-37	Amended	405	1	
	Amended	620	1	
45-37.2	Amended	620	2	
45-45.2	Added	685	1	
46-28	Amended	282	7	
47-3	Repealed	620	3	
47-7	Repealed	620	3	
47-18.2	Added	548	3	
47-30	Amended	747	20	
47-36.1	Amended	360	1	
47-46.1	Added	405	2	
	Amended	662	4	
47-48	Amended	360	2	
47-51	Amended	277	2	
47-53	Amended	277	3	
47-53.1	Amended	277	4	
47-71.1	Amended	277	5	
47-108.5	Amended	277	6	
47-108.11	Amended	277	7	
47-108.21 to 47-108.26	Added	777	4(1)	
47C-2-109	Amended	282	8	
48-3	Amended	716	1	
48-5	Amended	371	1	
48-11	Amended	541	1	
49-7	Amended	739	1	
49-8	Amended	739	2	
50-6	Amended	664	2	
50-11	Amended	844	3	
50-13.2	Amended	541	2	
	Amended	776	1, 2	

SECTIONS ADDED, AMENDED OR REPEALED 1987

<i>G.S. §</i>	<i>Effect</i>	<i>Session Laws Chapter</i>	<i>Section</i>	<i>Postponed Effective Date</i>
50-13.7	Amended	739	3	
50-13.10	Added	739	4	
50-16.9	Amended	664	3	
50-20	Amended	663	1	
	Amended	844	2	
50-21	Amended	844	1	
50-31	Amended	346	1	
50B-1	Amended	828	1	
50B-4	Amended	739	6	
51-18.1	Amended	576		
52-10.2	Added	664	1	
52A-51	Amended	739	5	
52B-1 to				
52B-11	Added	473	1	
53-77.2A	Amended	851	3	
	Amended	853	1	
53-91	Amended	459		
53-166	Amended	444	3	
53-168	Amended	827	12	
53-172	Amended	444	2, 3	
53-180	Amended	444	3	
53-188	Amended	827	13	
53-189	Amended	826	10	
53-206	Amended	827	14	
53-229	Amended	332	1	
53A-1	Amended	852	2(2)	
53A-2	Amended	852	2(2)	
53A-4	Amended	852	2(2)	
53A-9	Amended	852	2(2)	
53A-15	Amended	852	2(2)	
53A-17	Amended	852	2(2)	
53A-20 to				
53A-34	Added	852	2(4)	
54B-8	Amended	237	1	
54B-17	Amended	237	2	
54B-33	Amended	237	3	
54B-70	Amended	237	4	
54B-110	Added	853	3	
54B-151	Amended	564	14	
54B-189	Amended	564	14	
55-7	Amended	626		
55-75 to				
55-79	Added	88	1	
55-75	Amended	124	1	
55-79.1	Added	124	1.1	
55-80	Added	124	2	
55-90	Added	182	1	
55-91	Added	182	1	
55-92	Added	182	1	
55-93	Added	182	1	
55-94	Added	182	1	
55-95	Added	182	1	
55-96	Added	182	1	
55-97	Added	182	1	
55-98	Added	182	1	
55-99	Added	773	12	
55A-28.1A	Added	799	3	
57-12	Amended	629	2	2/1/88

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57-14	Repealed	814	5	7/1/88
57-16.1	Amended	681	1, 3, 4	
57B-2	Amended	631	1	
57B-3	Amended	631	6, 7	
57B-4	Amended	631	2, 4, 8	
57B-4.1	Added	631	3	
57B-4.2	Added	631	10	
57B-8	Amended	631	9	
57B-13	Amended	629	3	2/1/88
57B-15.1	Added	631	5	
57B-15.2	Added	631	5	
58-2	Amended	864	34	
58-3.1	Amended	369		
58-3.2	Amended	864	9	
58-6	Amended	738	32(b)	
58-7.1	Amended	864	19(a)	
58-7.2	Amended	864	19(b)	
58-7.3	Amended	864	20	
58-7.5	Amended	864	23	
58-9.7	Amended	752	3-5	
	Amended	864	1	
58-16.3	Amended	864	29	
58-18.1	Amended	864	43	
58-21.1	Amended	343		
58-26	Amended	629	14, 15	2/1/88
	Amended	752	1	
58-27.22	Amended	564	9	
58-27.23	Amended	301		
58-30.4	Amended	864	26	
58-30.4	Repealed	869	7	See note
58-30.5	Amended	864	2	
58-30.5	Amended	864	27	
58-30.5	Repealed	869	8	See note
58-39.4	Repealed	629	20	2/1/88
58-40	Repealed	629	20	2/1/88
58-40.1	Repealed	629	20	2/1/88
58-40.2 to				
58-40.4	Repealed	629	20	2/1/88
58-40.5	Repealed	629	20	2/1/88
58-40.5	Amended	727	7	
58-40.5	Amended	864	45	
58-40.6	Repealed	629	20	2/1/88
58-41 to				
58-41.5	Repealed	629	20	2/1/88
58-42	Repealed	864	72	
58-42.1	Amended	629	4	
	Amended	787	2	
	Amended	864	3(a)	
	Amended	864	74	
58-43 to				
58-44.2	Repealed	629	20	
58-44.3	Amended	629	5	2/1/88
58-44.4	Amended	629	6	2/1/88
58-44.4A	Repealed	629	20	2/1/88
58-44.5	Amended	864	31, 32	
	Repealed	864	48	2/1/88
58-44.7	Repealed	629	8	2/1/88
58-44.8	Repealed	629	20	2/1/88

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58-45 to				
58-51.4	Repealed	629	20	2/1/88
58-52	Amended	629	9	2/1/88
58-52.1	Repealed	629	20	2/1/88
58-53	Repealed	629	20	2/1/88
58-54	Amended	752	7	
58-54.2	Amended	629	10	2/1/88
58-54.4	Amended	787	1, 3	
58-54.20	Amended	864	46	
58-54.21	Amended	727	4, 5	
	Amended	864	47, 70	
58-54.24	Amended	864	61	
58-54.25	Amended	864	62-64	
58-57	Amended	864	3(b)	
58-60	Amended	864	22	
58-66	Amended	629	16	2/1/88
58-67	Repealed	629	20	2/1/88
58-68	Amended	864	38	
58-72	Amended	864	39, 40	
58-75.3	Added	752	10	
58-75.4	Added	752	10	
58-75.5	Added	752	10	
58-124.19	Amended	632	1	
58-124.23	Amended	869	1	
58-124.31	Amended	864	28, 33	
	Amended	869	9	See note
58-124.32	Amended	864	65	
58-124.33	Added	869	6	See note
58-131.35	Amended	864	66	
58-131.35A	Added	864	67	
58-131.39	Amended	441	8	
58-131.44	Amended	441	11	
58-131.45	Amended	441	12	
58-131.45	Amended	864	71	
58-131.53	Amended	441	13	
58-132	Amended	625	1-3	
58-134	Amended	625	4, 5	
58-134.4	Amended	864	4	
58-143	Amended	864	69	
58-149	Amended	629	17	
58-150	Amended	629	20	
58-152	Amended	814	3	
58-153.1	Amended	752	11	
58-154	Amended	752	11	
58-155.10	Amended	864	44	
58-155.12	Amended	864	58	
58-155.15	Amended	864	5, 18	
58-155.28	Amended	864	59	
58-155.47	Amended	864	60	
58-155.60	Amended	864	6	
58-164	Amended	864	17	
58-168	Repealed	629	20	
58-169	Repealed	629	20	
58-173.7	Amended	864	41	
58-173.8	Amended	421	1, 2	
	Amended	629	11	
	Amended	864	24	
58-173.19	Amended	629	12	
58-173.20	Amended	864	24	
58-177.1	Amended	864	7	

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58-188.9	Repealed	864	8	
58-191.3	Amended	864	53	
58-194.3	Amended	752	12	
	Amended	864	92	
58-210	Amended	752	14-18	
58-213.1	Added	752	13	
58-241.6	Amended	65	1	
58-241.6 to	Recodified as	864	12	
58-241.34	143B-472 to 143B-472.28			
58-248.33	Amended	869	3	
58-248.33	Amended	869	4(1)	See note
		869	4(2)	
58-248.33	Amended	869	15	
58-248.34	Amended	869	5(1)	
	Amended	869	5(2), (3)	See note
58-248.41	Amended	869	2	
58-251.1	Amended	864	42	
58-254.4	Amended	752	19	
58-260.6	Amended	681	2	
58-260.6	Amended	681	5	
58-260.6	Amended	681	6	
58-262.20	Repealed	827	222	
58-263 to				
58-315	Repealed	483	1	
58-340.71 to				
58-340.79	Added	330	1	
58-340.1 to				
58-340.65	Added	483	2	
58-340.8	Amended	799	2	
58-341	Amended	826	1, 12	
58-342	Amended	826	2, 3	
58-349	Amended	826	4, 5, 13	
58-350	Amended	826	6, 7, 14	
58-354	Amended	826	8	
58-359	Amended	826	9	
58-367	Amended	864	10	
58-371	Amended	864	11	
58-383	Amended	629	13	2/1/88
58-422	Amended	629	19	2/1/88
	Amended	727	6	
	Amended	864	73	2/1/88
58-427	Amended	864	35	
58-433	Amended	629	18	2/1/88
58-433	Amended	752	6	
58-436	Amended	864	36	
58-437	Amended	727	2, 3	
	Amended	864	37	
58-461	Added	731	2	
58-472	Amended	441	1, 2	
58-474	Amended	441	3, 4	
58-475	Amended	441	5, 6	
58-480	Amended	441	7	
58-480	Amended	441	9	
58-480	Amended	441	10	
58-490	Amended	864	30	
58-491	Amended	441	14	
58-495	Amended	441	15	
58-496	Amended	441	16	

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58-496	Amended	441	17	
58-498	Amended	441	18	
58-505 to				
58-517	Amended	310	1	
58-507	Amended	727	13	
58-508	Amended	727	1, 12	
58-509	Amended	629	19	2/1/88
58-511	Amended	727	9	
58-512	Amended	727	10	
58-513	Amended	727	11	
58-518	Repealed	310	1	
58-525 to				
58-537	Added	676	1	
58-536	Amended	864	21	
58-540 to				
58-546	Added	331	1	
58-543	Amended	864	68	
58-575 to				
58-579	Added	752	8	
58-610 to				
58-634	Added	629	1	2/1/88
58-611	Amended	864	76, 77	2/1/88
58-614	Amended	864	78, 79, 87	2/1/88
58-615	Amended	864	80, 86	2/1/88
58-616	Amended	864	81	2/1/88
58-620	Amended	864	88	2/1/88
58-622	Amended	864	82, 83	2/1/88
58-624	Amended	864	75	2/1/88
58-626	Amended	864	49, 89	2/1/88
58-634	Amended	864	84, 85	2/1/88
58A-1 to				
58A-5	Added	765	1	
59-103	Amended	531	1	
59-105	Amended	531	2	
59-201	Amended	531	3	
59-202	Amended	531	4	
59-206	Amended	531	5	
59-403	Amended	531	6	
59-702	Amended	531	7	
59-902	Amended	531	8.1	
59-903	Amended	531	8	
59-1104	Amended	531	9, 10	
61-1	Amended	799	1	
62-2	Amended	354		
62-3	Amended	445	2	
62-18	Amended	490	1	
62-110	Amended	445	1	
62-110.3	Added	490	2	
62-133.2	Amended	677	1	
	Repealed	677	5	7/1/88
62-268	Amended	374		
62-289.3	Amended	407		
63-26	Amended	818	3	
63-26.1	Added	818	4	
63-27	Amended	818	1	
63-28	Amended	818	2	
63-90 to				
63-92	Added	494	1	

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65-41	Added	183	1	
65-42	Added	183	1	
65-53	Amended	488	8	
65-54	Amended	488	1	
65-55	Amended	488	2	
65-59	Amended	488	4	
65-63	Amended	488	5	
65-64	Amended	488	3, 6	
65-66	Amended	488	7	
65-74	Added	686	1	
65-75	Added	686	1	
66-49.13	Amended	864	3(c)	
66-67	Amended	158		
66-67.1	Added	386		
66-68	Amended	723	1, 2	
66-69	Amended	723	3	
66-71	Amended	723	4	
66-77	Amended	387	1	
66-80	Amended	387	2	
66-94.1	Amended	325		
69-8 to				
69-13	Repealed	864	51	
69-25.11	Amended	711	2	
69-25.15	Amended	45	1	
69-26 to				
69-31	Repealed	864	52	
69-35 to				
69-37	Repealed	864	52	
69-39.1	Amended	146	2	
70-16	Amended	827	215	
74-24.5	Amended	827	258	
74-24.10	Amended	827	259	
74-24.11	Repealed	827	260	
74-24.15	Amended	827	261	
74-51	Amended	827	82	
74-54	Amended	827	85	
74-55	Amended	827	85	
74-56	Amended	827	85	
74-58	Amended	827	82A	
74-61	Amended	827	86	
74-62	Repealed	827	83	
74-63	Amended	827	84	
74-64	Amended	246	1	
74-64	Amended	827	85	
74-85	Amended	827	87	
74-86	Amended	827	88	
74A-2	Amended	469		
74C-3	Amended	284		
	Amended	657	1	
74C-8	Amended	657	2, 2.1	
74C-9	Amended	657	3	
74C-11	Amended	657	4, 5	
74C-12	Amended	550	20	
	Amended	657	6	
74C-16	Amended	657	7, 8	
74D-3	Amended	11		
74D-10	Amended	550	21	
75A-5	Amended	827	4	
75A-15	Amended	827	5	

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75D-3	Amended	550	22	
76A-12	Amended	475		
77-13	Amended	641	12	
77-14	Amended	641	13	
78A-2	Amended	849	1	
78A-18	Amended	849	2	
78A-30	Amended	849	8	
78A-37	Amended	566	1	
78A-40	Amended	849	3	
78A-46	Amended	849	4	
78A-48	Amended	849	5	
78A-49	Amended	849	6	
78A-50	Amended	566	2	
78A-56	Amended	282	9	
78A-57	Amended	849	7	
78B-8	Amended	282	10	
80-24 to				
80-32	Repealed	402		
84-17	Amended	316	1	
84-18	Amended	316	2	
84-19	Amended	316	3	
84-28	Amended	316	4	
85C-11	Amended	728	1	
85C-14	Amended	728	2	
85C-36	Amended	728	3	
86A-12	Amended	210	1	
87-85	Amended	496	1	
87-86	Amended	496	2, 3	
87-87	Amended	496	4	
87-88	Amended	496	5	
87-92	Amended	827	1, 70	
87-94	Amended	246	2	
88-13	Amended	211		
89A-7	Amended	827	1, 71	
89A-8	Amended	827	72	
89C-20	Amended	827	73	
89D-7	Amended	827	74	
89E-4	Amended	827	75	
89E-20	Amended	827	76	
90-8	Amended	859	5	
90-14	Amended	859	6-10	
90-14.13	Amended	859	11	
90-15	Amended	859	13, 14	
90-15.1	Amended	859	12	
90-21.11	Amended	859	1	
90-21.22	Added	859	15	
90-21.23	Added	859	19	
90-39	Amended	555	1	
90-85.21	Amended	687		
90-85.24	Amended	260		
90-87	Amended	105	1, 2	
90-88	Amended	413	1-4	
90-89	Amended	412	1-5	
90-90	Amended	105	3	
90-90	Amended	412	5A-7	
90-91	Amended	412	8-10	
90-92	Amended	412	11, 12	
90-95	Amended	90		
	Amended	105	4, 5	

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90-95	Amended	640	1, 2	
	Amended	783	4	
90-101	Amended	412	13	
90-113.4A	Amended	410		
90-118.10	Amended	645	3	
90-122	Amended	645	2	
90-123	Amended	645	1	
90-143	Amended	304		
90-154.1	Amended	733		
90-171.21	Amended	651	2	
90-171.27	Amended	651	1	
90-210.18	Amended	430	1	
	Amended	827	1	
90-210.20	Amended	430	2	
90-210.21	Repealed	430	3	
90-210.25	Amended	430	4-11	
90-210.27	Repealed	430	12	
90-210.27A	Added	430	13	
90-210.28	Amended	710		
90-210.31	Amended	430	15	
90-232	Amended	555	2	
90-270.11	Amended	326	1, 2	
	Amended	500	1	
90-270.14	Amended	500	2	
90-270.26	Amended	827	1, 77	
90-270.51	Amended	827	78	
90-270.69	Amended	827	1, 77	
90-278	Amended	492	1	
90-293	Amended	665	1	
90-294	Amended	665	2	
90-295	Amended	665	3	
90-296	Amended	665	4	
90-297	Repealed	665	5	
90-298	Amended	665	6	
90-301	Amended	665	7	
	Amended	827	1	
90-301A	Added	665	8	
90-302	Amended	665	9	
90-304	Amended	665	10	
90-305	Amended	665	11	
90-306	Amended	665	12	
90A-22	Amended	827	1, 230	
90A-30	Amended	827	231	
90A-40	Amended	582	1, 2	
90A-42	Amended	582	3	
90A-59	Amended	282	11	
93-12	Amended	353		
	Amended	827	1, 79	
93A-6	Amended	516	1, 2	
93A-16	Amended	516	3-5	
93A-17	Amended	516	6	
93A-18	Amended	516	7	
93A-19	Amended	516	8	
93A-20	Amended	516	9	
93A-21	Amended	516	10-13	
93A-22	Amended	516	14	
93A-23	Amended	516	15	
93A-40	Amended	516	16	
93A-54	Amended	516	17, 18	

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93A-56	Amended	516	19	
93A-58	Amended	516	20	
93D-3	Amended	827	80	
95-2	Amended	738	32(b)	
95-25.3	Amended	79		
95-25.5	Amended	154		
95-25.19	Amended	827	262	
95-47.2	Amended	282	12	
95-48	Amended	282	13	
95-69.17	Amended	827	263	
95-111.3	Amended	864	90(a)	
95-111.4	Amended	635	2	
95-111.12	Amended	635	1	
	Amended	864	90(b), 91(a)	
95-123	Amended	827	264	
95-127	Amended	282	14	
95-131	Amended	285	17	
95-141	Amended	827	265	
95-174	Amended	489	1, 2	
95-191	Amended	489	3	
95-194	Amended	489	4-6	
95-195	Amended	489	7	
95-216	Amended	489	8	
95-217	Amended	489	9	
96-3	Amended	103	1	
96-4	Amended	273		
	Amended	764	4-5	
96-5	Amended	17	1, 2	
96-8	Amended	103	2, 3	
	Amended	212		
	Amended	564	21	
96-9	Amended	17	3-7	
	Amended	197		
96-12	Amended	17	8	
96-15.1	Added	532	1	
96-15.2	Added	532	2	
96-18	Amended	103	4	
97-2	Amended	729	1, 2	
97-13	Amended	729	3	
97-19	Amended	729	4	
97-28	Amended	729	5	
97-29	Amended	729	6	
97-31	Amended	729	7, 8	
97-38	Amended	729	9	
97-40	Amended	729	10	
97-53	Amended	729	11, 12	
97-58	Amended	729	13	
97-66	Amended	729	14	
97-84	Amended	729	15	
97-86.2	Amended	729	16	
97-94	Amended	729	17	
97-106	Amended	752	20	
97-107	Amended	864	54	
97-113	Amended	864	55	
97-114	Amended	864	56	
97-119	Amended	864	57	
97-130	Amended	528	1	
97-131	Amended	528	2	

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97-132	Amended	528	3	
97-133	Amended	528	4-10	
97-134	Amended	528	11	
97-135	Amended	528	12	
99D-1	Added	718	1	
102-1.2	Amended	148		
103-4	Amended	25	1	
	Amended	851	1, 2	
	Amended	853	2	
104E-5	Amended	633	1-4	
104E-5	Amended	850	3	
104E-6.1	Amended	633	5	
104E-6.2	Amended	633	6	
	Amended	850	4	
104E-7	Amended	850	5	
104E-9	Amended	633	7	
104E-10	Amended	850	6	
104E-10.1	Amended	24	1-3	
	Amended	850	7, 8	
104E-10.3	Added	850	9	
104E-13	Amended	850	10	
104E-16	Amended	633	8	
	Amended	850	11	
104E-18	Amended	850	12	
104E-19	Amended	633	9	
	Amended	850	13	
104E-20	Amended	633	10	
104E-24	Amended	850	14	
104E-24.1	Added	269	4	
104E-25	Added	633	11	
104E-26	Added	850	15	
104E-27	Added	850	15.1	
104F-1	Amended	850	25	
104G-1 to 104G-21	Added	850	1	
105-2.1	Amended	778	1	
105-14	Amended	544		
105-16	Amended	615		
105-20	Amended	548	1	
105-24	Amended	804	1	
105-31	Amended	548	2	
105-33	Amended	190		
105-53	Amended	213	1	
	Amended	708	1-6	
105-80	Amended	554	1	
105-112	Amended	708	9	
105-113.80	Amended	832	2	
105-113.81A	Added	836	1	
105-113.82	Amended	836	2	
105-113.86	Amended	18		
105-114	Amended	778	1	
105-120	Amended	557	1-3	
105-130.2	Amended	778	1	
105-130.3	Amended	622	8	
105-130.4	Amended	804	2	
105-130.5	Amended	89		
	Amended	637	1	
	Amended	778	2, 3	
	Amended	804	3	

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105-130.7	Amended	804	10	
105-130.10	Amended	804	4	
105-130.27	Amended	872	1	
105-130.40	Added	568	1	
105-135	Amended	778	1	
105-141.2	Amended	778	4	
105-147	Amended	778	4	
	Amended	804	5	
105-149	Amended	282	32	
105-151.6	Amended	872	2	
105-151.17	Added	568	2	
105-163	Amended	778	5	
105-163.02	Amended	622	4	
105-163.03	Repealed	622	3	
105-163.06	Repealed	622	3	
105-163.07	Amended	804	6	
105-163.1	Amended	778	1	
105-163.6	Amended	622	9	
105-16.010 to				
105-163.014	Added	852	1	
105-164.3	Amended	27		
	Amended	557	3.1	1/1/89
	Amended	854	2, 3	7/1/89
105-164.4	Amended	557	4, 5	1/1/89
105-164.4	Amended	800	2, 3	
	Amended	854	1	7/1/88
105-164.13	Amended	800	1	
105-164.14	Amended	557	8, 9	1/1/89
	Amended	850	16	
105-164.16	Amended	557	6	1/1/89
105-164.21	Repealed	622	10	
105-164.44B	Amended	738	150	
105-188.1	Amended	556	1	
105-212	Amended	778	1	
105-213	Amended	804	7	
105-228.5	Amended	709	2	
	Amended	814	2	
105-228.6	Repealed	814	4	1/1/90
105-228.7	Repealed	629	21	2/1/88
105-228.8	Amended	814	1	
105-228.9	Amended	804	9	
105-230	Amended	644	1	
105-232	Amended	644	2	
105-241.1	Amended	827	21	
105-241.3	Amended	827	20	
105-259	Amended	440	4	
105-226.1	Amended	827	22	
105-273	Amended	43	1	
	Amended	440	2	
	Amended	805	3	
	Amended	813	1-4	
105-275	Amended	356		
	Amended	622	2	
	Amended	747	8	
	Amended	777	6	
	Amended	813	5, 6, 22	
105-275	Amended	850	17	
105-275.1	Added	622	7	1/1/89
	Amended	813	7	1/1/89

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105-276	Amended	813	8	
105-277	Amended	622	5	
	Amended	813	9	
105-277A	Amended	622	6	1/1/89
	Amended	813	10	
	Amended	813	11	1/1/89
105-277.1	Amended	45	1	
105-277.2	Amended	698	1	
105-277.3	Amended	698	2-5	
105-277.4	Amended	45	1	
	Amended	295	5	
	Amended	698	6	
105-277.5	Amended	45	1	
105-277.6	Amended	45	1	
	Amended	295	2	
105-277.7	Amended	45	1	
105-277.8	Amended	130		
105-277.9	Added	747	22	
105-278.1	Amended	777	1	
105-278.2	Amended	724		
105-282.1	Amended	45	1	
	Amended	295	5, 6	
	Amended	680	1-3	
	Amended	813	13	
105-285	Amended	777	2	
	Amended	813	12	
105-286	Amended	45	1	
105-287	Amended	655		
105-289	Amended	45	1	
	Amended	46	1	
	Amended	440	1	
	Amended	830	84(a)	
105-289.1	Amended	295	7	
	Amended	440	3	
	Repealed	813	12	
105-290	Amended	295	3, 9	
	Amended	680	4, 5	
105-294	Amended	45	1, 2	
105-295	Amended	45	1	
105-296	Amended	43	2	
	Amended	45	1, 2	
	Amended	830	84(b)	
105-297	Amended	45	1	
105-298	Repealed	43	3	
105-302	Amended	45	1	
105-302.1	Amended	45	1	
105-303	Amended	43	4	
	Amended	45	1	
105-306	Amended	45	1	
105-307	Amended	43	5	
	Amended	45	1	
105-308	Amended	43	4	
	Amended	45	1	
105-309	Amended	43	6	
	Amended	45	1	
105-311	Amended	43	7	
	Amended	45	1	
105-312	Amended	45	1	
	Amended	743	1, 2	

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105-313	Amended	777	3	
105-314	Amended	45	1	
105-315	Amended	45	1	
	Amended	813	14	
105-316	Amended	45	1	
105-316.7	Amended	805	4	
105-317	Amended	45	1	
	Amended	295	1	
105-317.1	Amended	813	15	
105-320	Amended	813	16, 17	
105-321	Amended	45	1	
105-322	Amended	45	1	
105-324	Repealed	295	4	
105-325	Amended	45	1	
	Amended	295	8	
	Amended	680	6	
105-326	Amended	45	1	
105-328	Amended	43	8	
	Amended	45	1	
	Amended	46	2	
105-357	Amended	661		
105-360	Amended	93	1, 2	
105-366	Amended	45	1	
	Amended	93	3	
105-368	Amended	45	1	
105-373	Amended	16		
105-375	Amended	450		
105-381	Amended	127	1	
105-387 to	Recodified as	777	4(1)	
105-392	47-108.21 to			
	47-108.26			
105-393	Repealed	777	4(2)	
105-396	Added	777	5	
105-446.2	Amended	299		
105-449.39	Amended	315		
105-467	Amended	557	7	1/1/89
	Amended	832	4	3/1/88
105-486	Amended	832	6	3/1/88
105-493	Amended	832	7	3/1/88
105-501	Amended	832	8	3/1/88
105-502	Amended	622	11	
105-504	Amended	282	15	
105A-2	Amended	564	18	
	Amended	578	1, 2	
	Amended	856	12	See note
105A-7	Amended	827	15	
105A-8	Amended	827	16	
106-6.1	Amended	827	25	
106-11	Amended	738	32(b)	
106-20	Repealed	244	1(a)	
106-51	Repealed	244	1(b)	
106-65.23	Amended	827	26	
106-65.28	Amended	827	27	
106-65.29	Amended	368	2	
	Amended	827	28	
106-65.31	Amended	368	3	
106-65.32	Amended	827	29	
106-65.41	Added	368	1	

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106-65.90	Amended	293		
106-66	Repealed	244	1(c)	
106-67	Repealed	244	1(c)	
106-68 to				
106-78	Repealed	244	1(d)	
106-79	Repealed	244	1(e)	
106-80	Repealed	244	1(e)	
106-111	Repealed	244	1(f)	
106-121	Amended	737	1	
106-139	Amended	827	30	
106-140.1	Added	737	2	
106-198 to				
106-202	Repealed	244	1(g)	
106-202.16	Amended	827	31	
105-245.30	Added	815	1	
to				
106-245.38				
106-245.34A	Added	815	2	
106-245.37	Amended	738	138(a)	
106-245.39	Added	815	3	
106-256 to				
106-259	Repealed	244	1(h)	
106-266.8	Amended	285	18	
	Amended	827	23	
106-266.15	Amended	827	24	
106-303	Repealed	244	1(i)	
106-400.1	Added	793	1	
106-406	Amended	827	32	
106-407.2	Amended	827	33	
106-408	Amended	436		
106-451.6 to				
106-451.28	Added	840	1	
106-503	Amended	827	34	
106-521 to				
106-527	Repealed	244	1(j)	
106-535 to				
106-538	Repealed	244	1(k)	
106-549.21	Amended	827	35	
106-549.55	Amended	827	36	
106-549.64	Amended	827	37	
106-568.20	Amended	294	1	
106-568.21	Amended	294	2	
106-568.22	Amended	294	3	
106-568.23	Amended	294	4	
106-568.24	Amended	294	5	
106-568.25	Amended	294	6	
106-568.28	Amended	294	7	
106-568.30	Amended	294	8	
106-568.31	Amended	294	9	
106-568.32	Repealed	294	11	
106-568.34	Amended	294	10	
106-568.35	Amended	294	12	
106-568.36	Amended	294	13	
106-611	Amended	827	38	
106-659	Amended	292	1	
106-660	Amended	292	2	
106-711	Amended	827	1	
106-713	Amended	827	1	
108A-15	Amended	550	23	

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108A-39.2	Amended	831		
108A-66	Added	861	2	
108A-79	Amended	599	1-3	
	Amended	827	1	
108A-101	Amended	550	24	
108A-105	Amended	550	25	
110-85	Amended	788	1	
110-86	Amended	788	2	
110-88	Amended	543	2	
110-88	Amended	788	3	
	Amended	827	232	
110-90	Amended	788	4	
	Amended	827	233	
110-90.1	Amended	788	5	
110-91	Amended	543	3	
	Amended	788	6	
	Amended	827	234	
110-92	Amended	543	4	
110-93	Amended	543	5, 6	
	Amended	788	7	
110-94	Amended	788	8	
110-98	Amended	788	9	
110-98.1	Amended	788	10	
110-101	Amended	788	11	
110-102.1	Amended	788	12	
110-102.2	Amended	788	13	
	Amended	827	235	
110-103	Amended	788	14	
110-103.1	Amended	788	15	
	Amended	827	236	
110-104	Amended	543	7	
	Amended	788	16	
	Amended	827	237	
110-105	Amended	788	17	
	Amended	827	238	
110-105.1	Amended	788	18	
110-105.2	Amended	788	19	
110-106	Amended	788	20	
110-106.1	Amended	788	21	
110-129	Amended	764	3	
110-136.2	Amended	764	1, 2	
110-136.3	Amended	589	1	
110-136.5	Amended	60		
110-136.8	Amended	589	2	
110-139	Amended	591		
113-26.1	Amended	827	89	
113-28.1	Amended	783	5	
113-29	Amended	827	90	
113-34	Amended	827	91	
113-35	Amended	827	92	
113-35.1	Added	738	152	
113-41	Amended	827	93	
113-44.7	Added	243	1	
113-44.8 to 113-44.14	Added	243	1	
113-55.2	Amended	827	6	
113-64	Amended	827	94	
113-65	Amended	827	95	

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113-77.6 to 113-77.9	Added	871	1	
113-128	Amended	641	4	
113-129	Amended	641	5, 6	
113-131	Amended	641	14	
113-132	Amended	641	5	
113-133	Amended	827	96	
113-133.1	Amended	33	4	
	Amended	131	4, 5	
	Amended	245	2	
	Amended	282	16	
113-134	Amended	827	97	
113-134.1	Amended	641	5, 8	
113-135	Amended	827	98	
113-135.1	Amended	827	98	
113-136	Amended	641	20, 22	
	Amended	827	98	
113-137	Amended	827	98	
113-138	Amended	827	98	
113-140	Amended	827	98	
113-151	Repealed	827	100	
113-152	Amended	487		
	Amended	641	17	
	Amended	827	98	
113-153	Amended	827	98	
113-154	Amended	641	5	
113-155.1	Amended	641	5	
113-156	Amended	641	6	
	Amended	827	98	
113-156.1	Amended	641	5	
113-160	Amended	827	98	
113-163	Amended	641	10	
	Amended	827	98	
113-164	Amended	827	98	
113-165	Amended	827	98	
113-166	Amended	827	98, 99	
113-181	Amended	827	101	
113-183	Amended	827	98	
113-185	Amended	641	5	
	Amended	827	98	
113-187	Amended	641	6	
	Amended	827	98	
113-188	Amended	827	102	
113-201	Amended	827	98	
113-201.1	Amended	641	15	
113-202	Amended	641	16	
	Amended	773	11	
	Amended	827	98	
113-203	Amended	641	6	
	Amended	827	98	
113-205	Amended	827	98	
113-208	Amended	463		
113-221	Amended	641	7, 19	
	Amended	827	7	
113-226	Amended	827	103	
113-228	Amended	641	11	
	Amended	827	104	
113-229	Amended	827	105	
113-254	Amended	641	9	
113-259	Added	641	18	

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113-261	Amended	827	98	
113-262	Amended	827	98	
113-264	Amended	827	98	
113-265	Amended	636	2	
	Amended	827	98	
113-267	Added	636	1	
	Amended	827	98	
113-270.1	Amended	827	98	
113-270.2	Amended	156	1, 2	
	Amended	827	98	
113-270.2A	Amended	827	98	
113-270.2B	Amended	452	1	7/1/88
	Amended	827	98	
113-270.3	Amended	156	3-5	
	Amended	452	2, 3	7/1/88
	Amended	745	2	
	Amended	827	98	
113-270.4	Amended	156	6	
	Amended	827	98	
113-270.5	Amended	156	7	
	Amended	827	98	
113-271	Amended	156	8, 9	
	Amended	827	98	
113-272	Amended	156	10	
	Amended	827	98	
113-272.2	Amended	156	11, 12	
	Amended	827	98	
113-272.3	Amended	827	98	
113-272.4	Amended	827	98	
113-272.5	Amended	827	98	
113-273	Amended	133		
	Amended	827	98	
113-274	Amended	827	98	
113-275	Amended	745	1	
	Amended	827	98	
113-276	Amended	827	98	
113-276.1	Amended	827	98	
113-276.2	Amended	827	8, 98	
113-276.3	Amended	827	98	
113-277	Amended	827	98	
113-291	Amended	827	98	
113-291.1	Amended	97		
	Amended	134		
	Amended	827	98	
113-291.2	Amended	38		
	Amended	827	98	
113-291.3	Amended	827	98	
113-291.4	Amended	726	1	
	Amended	827	98	
113-291.5	Amended	827	98	
113-291.6	Amended	827	98	
113-291.7	Amended	827	98	
113-291.8	Added	72	1	
113-292	Amended	827	98	
113-293	Amended	827	98	
113-294	Amended	452	4	
	Amended	827	98	
113-295	Added	636	3	
113-300.1	Amended	827	98	

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113-301.1	Amended	827	9	
113-302.1	Amended	827	98	
113-304	Amended	827	98	
113-306	Amended	827	98, 106	
113-307	Amended	827	107	
113-315.2	Amended	641	6	
113-315.5	Amended	641	6	
113-315.29	Amended	827	108	
113-315.34	Amended	827	109	
113-331 to				
113-337	Added	382	1	
113-378	Amended	827	110	
113-388	Amended	827	110	
113-391	Amended	827	111	
113-392	Amended	827	112	
113-393	Amended	827	112	
113-394	Amended	827	112	
113-395	Amended	827	113	
113-397	Amended	827	114	
113-398	Amended	827	115	
113-399	Amended	827	116	
113-402	Amended	827	117	
113-403	Amended	827	118	
113-404	Repealed	827	119	
113-405	Repealed	827	119	
113-406	Amended	827	120	
113-408	Amended	827	121	
113-409	Amended	827	122	
113-410	Amended	827	122	
113-411	Amended	827	122	
113-412	Amended	827	123	
113-413	Repealed	827	124	
113A-4	Amended	827	125	
113A-6	Amended	827	126	
113A-35.1	Amended	827	127	
113A-36	Amended	827	125, 128	
113A-38	Amended	827	127, 129	
113A-42	Amended	827	125	
113A-54	Amended	827	10	
113A-56	Amended	827	130	
113A-57	Amended	827	131	
113A-64	Amended	246	3	
113A-88	Amended	827	132	
113A-92.1	Added	738	153(a)	
113A-95	Added	498	1	
113A-103	Amended	827	133	
113A-107	Amended	827	134	
113A-115	Amended	827	135	
113A-118	Amended	827	136	
113A-118.1	Amended	827	137	
113A-120	Amended	827	138	
113A-121.1	Amended	827	139	
113A-122	Amended	827	140	
113A-124	Amended	827	125, 141	
113A-125	Amended	827	125, 142	
113A-126	Amended	827	11, 143	
113A-128	Amended	827	144	
113A-134.3	Amended	827	145	
113A-153	Amended	827	146	

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113A-155	Amended	827	147	
113A-156	Amended	827	148	
113A-158	Amended	827	144	
113A-164.4	Amended	827	152	
113A-166	Amended	827	149	
113A-168	Amended	827	150	
113A-170	Amended	827	151	
113A-195	Amended	523		
114-7	Amended	738	32(b)	
114-15	Amended	858	1	
	Amended	867	3	
114-19.1	Amended	867	1	
115C-2	Amended	827	1	
115C-12	Amended	414	1	
115C-14	Repealed	414	11	
115C-20	Amended	738	32(b)	
115C-29	Amended	414	12	
115C-47	Amended	340		
	Amended	414	2	
	Amended	571	2	
	Amended	738	182	
115C-49	Added	759	3	
115C-81	Amended	630		
	Amended	738	186(a), 186(b), 187	
115C-81.1	Amended	830	88	
115C-84	Amended	477	1	7/1/88
115C-90	Amended	738	190	
115C-115	Amended	738	196	
115C-116	Amended	827	1	
115C-126.1	Amended	827	1	
115C-151	Amended	738	183	
115C-152	Amended	738	184	
115C-154.1	Added	738	185	
115C-159	Amended	738	184	
115C-174.11	Amended	738	180(a)	
115C-242	Amended	827	49	
115C-244	Amended	827	47, 48	
115C-245	Amended	276		
115C-246	Amended	827	49	
115C-249	Amended	827	49	
115C-250	Amended	769		
115C-253	Amended	827	49, 50	
115C-271	Amended	389		
115C-272	Amended	414	4	
115C-285	Amended	414	5	
115C-288	Amended	572	3	
115C-289	Amended	328		
	Amended	830	89(c)	
115C-301	Amended	738	181	
115C-302	Amended	414	6, 7	
	Amended	595		
115C-316	Amended	414	8, 9	
115C-319 to				
115C-321	Added	571	1	
115C-325	Amended	395	2	
	Amended	540		
	Amended	571	3	

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115C-340	Amended	564	12, 16	
115C-342	Amended	564	12, 16	
115C-363.4	Amended	770	1	
115C-363.7	Amended	738	208(a)	
115C-363.8	Amended	738	204(b)	
115C-363.24	Amended	830	87(a)	
115C-363.28	Added	738	205(a)	
115C-369	Amended	406		
	Amended	791	1, 2	
115C-370	Amended	827	51	
115C-391	Amended	572	1, 2	
	Amended	827	52	
115C-438	Amended	414	14	
115C-468	Amended	738	198(b)	
115C-471	Amended	738	198(c)-(e)	
115C-489.1				
to				
115C-489.4	Added	622	13	
115C-489.2	Amended	813	18	
115C-489.3	Amended	813	24.1	
115C-489.4	Amended	813	19	
115C-521	Amended	622	14	
115C-543	Added	312	1	
115C-546.1	Added	622	12	
	Amended	813	20	
115C-546.2	Added	622	12	
	Amended	813	18.1,	
			19.1, 21	
115C-549	Amended	738	180(b)	
115C-557	Amended	738	180(c)	
115C-568	Recodified			
to	as 115D-87			
115C-583	to 115D-102	442	2	
115D-2	Amended	564	1	
115D-3	Amended	564	2	
115D-4	Amended	564	3	
115D-4.1	Added	564	4	
115D-5	Amended	282	34	
	Amended	564	8, 12, 33	
	Amended	763	1	
115D-7	Added	383	1	
115D-12	Amended	564	10, 12	
115D-20	Amended	383	2	
115D-25	Amended	564	11	
115D-26	Amended	564	9	
115D-31	Amended	564	9, 12	
115D-32	Amended	564	11	
115D-34	Amended	564	20, 34	
115D-36	Amended	564	5	
115D-80	Amended	827	17	
115D-87				
to				
115D-102	Added	442	2	
115D-89				
to				
115D-92	Amended	442	1	
115D-93	Amended	442	1	
	Amended	827	53	

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115D-95	Amended	442	1	
116-6	Amended	228		
116-11	Amended	795	27	
116-22	Amended	830	93(d)	
116-36.4	Amended	738	233(b)	
116-36.5	Added	790	1	
116-37.1	Amended	564	33	
116-40.5	Added	671	2	
116-71	Amended	564	22	
116-143.1	Amended	564	19	
116-143.3	Amended	564		
116-174.1	Amended	564	36	
116-198.31 to				
116-198.40	Added	336	1	
116-201	Amended	227	1, 2	
116-202	Amended	227	3	
116-206	Amended	227	4	
116-209	Amended	227	5	
116-209.3	Amended	227	6	
116-209.17	Amended	227	7	
116-209.19	Amended	227	8	
	Amended	564	23	
116-209.24	Amended	227	9	
116-220	Amended	263	1	
116-220.1	Amended	263	2	
116B-29	Amended	163	1-3	
116B-30	Amended	163	4, 5	
116B-31	Amended	163	6	
116B-31.5	Added	163	7	
116B-38	Amended	163	8	
	Amended	827	18	
116B-42	Amended	827	19	
117-20	Amended	448	1	
117-24	Amended	448	2	
117-34	Amended	448	3	
117-46	Added	107	1	
118-6	Amended	174	1, 5	
118-7	Amended	174	2, 3	
118-12	Amended	174	4	
118-41.2	Added	667	2	
118-43	Amended	667	1	
118-50	Added	709	1	
118-60 to				
118-66	Added	584	5	
119-56	Amended	453		
119-58	Amended	282	17	
120-3	Amended	738	15	See note
	Amended	830	70	See note
120-4.8	Amended	738	31(a)	
120-4.16	Amended	738	31(b)	
120-4.21	Amended	513	1	
	Amended	738	31(c), (d)	
120-4.22	Amended	513	1	
	Amended	738	31(d)	
120-4.22A	Amended	738	27(d)	
120-4.24	Amended	738	39(a)	
120-4.25	Amended	738	31(e)	

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120-4.27	Amended	824	1	7/1/88
120-4.28	Amended	738	31(d), 37(c)	
120-4.30	Added	177	1(a), (b)	
120-19.4A	Added	867	2	
120-19.9	Added	747	24	
120-20.1	Added	138	1	
	Amended	485	4	
120-30.48	Amended	827	55	
120-37	Amended	738	16, 17	
120-70.7 to				
120-70.14	Added	873	25.1	
120-84.1 to				
120-84.5	Repealed	738	120(d)	
120-103	Amended	439		
120-123	Amended	71	4, 5	
	Amended	622	15	
	Amended	641	21	
	Amended	738	41(d)	
	Amended	765	2	
	Amended	841	4	
	Amended	850	18	
120-149.1 to				
120-149.6	Added	180	1	
120-180 to				
120-188	Added	873	13.1	
121-7	Amended	721	1	
122A-4	Amended	305	3	
122A-5.8	Added	305	1	
122A-5.9	Added	305	2	
122C-3	Amended	345	1	
	Amended	830	47(a), (b)	
122C-22	Amended	345	2	
122C-23	Amended	345	3, 4	
122C-24	Amended	345	5	
122C-52	Amended	749	2	
122C-54	Amended	638	1, 3.1	
122C-55	Amended	638	2, 3	
122C-112	Amended	720	2	
	Amended	830	47(c)	
122C-113	Amended	863	1	
122C-117	Amended	830	47(d)	
122C-122	Amended	550	26	
122C-123	Added	830	47(e)	
122C-141	Amended	839	1	
122C-145	Amended	720	3	
122C-147	Amended	720	3	
	Amended	784		
122C-151.1	Added	738	87(a)	
122C-205	Amended	749	1	
122C-205.1	Added	674	1	
122C-210.2	Added	358	1	
122C-221 to				
122C-224	Amended	370	1	

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122C-224.1 to				
122C-224.7	Added	370	1	
122C-251	Amended	268	1	
122C-262	Amended	596	1	
122C-263	Amended	596	3	
122C-264	Amended	596	2	
122C-266	Amended	596	4	
122C-267	Amended	282	18	
122C-290	Amended	674	2	
	Amended	750		
122C-403	Amended	536	2	
122C-404	Amended	536	3	
	Amended	827	245	
122C-405	Amended	536	4	
	Amended	720	3	
122C-408	Amended	827	246	
122C-410	Added	536	5	
122C-411	Added	845	1	
122D-3	Amended	112	3	
122D-6	Amended	112	4	
122D-16	Amended	112	1	
122D-23	Added	335	1	
122E-1 to				
122E-9	Added	841		
125-2	Amended	199		
125-11.5 to				
125-11.12	Added	771	2	
126-4	Amended	25	2	
	Amended	320	1-3	
126-5	Amended	320	4	
	Amended	395	1	
	Amended	809	1	
	Amended	850	19	
126-7.1	Added	689	2	
126-15.1	Amended	282	19	
126-29	Amended	320	5	
126-30	Added	666	1	
126-34	Amended	320	6	
126-36	Amended	320	7	
126-36.2	Added	689	3	
126-37	Amended	394	1	
126-39	Amended	320	8	
126-41	Amended	827	1, 56	
126-43	Repealed	320	9	
126-44	Repealed	320	9	
126-78	Amended	827	57	
127A-50.1	Added	649	1	
127A-192	Amended	564	24	
127A-194	Amended	564	12	
128-1.1	Amended	427	10	
128-24	Amended	513	1	
	Amended	738	38(a)	
128-26	Amended	533	2	
	Amended	617	1-4	
	Amended	717	1	
128-27	Amended	181	1	

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128-27	Amended	513	1	
	Amended	738	27(c), 29(g), 37(b)	
	Amended	824	2	7/1/88
128-28	Amended	539	1	
128-38.1	Added	177	1(a), (b)	
129-40 to				
129-49	Repealed	71	2	
130A-22	Amended	269	2	
	Amended	656		
	Amended	704	1	
	Amended	827	247	
130A-23	Amended	438	3	
130A-24	Amended	482		
	Amended	827	248	
130A-25	Amended	782	19	2/1/88
130A-35	Amended	84	1	
130A-37	Amended	84	2	
130A-50	Amended	22	1	
130A-62	Amended	45	1	
130A-80	Amended	314	1	
130A-83	Amended	314	2	
130A-85	Added	521	1	
130A-129	Added	822	2	
130A-130	Added	822	2	
130A-133	Amended	782	1-3	2/1/88
130A-134	Amended	782	4	2/1/88
130A-135	Amended	782	5	2/1/88
130A-136	Amended	782	6	2/1/88
130A-137	Amended	782	7	2/1/88
130A-138	Amended	782	8	2/1/88
130A-139	Amended	782	9	2/1/88
130A-140	Amended	782	10	2/1/88
130A-141	Amended	782	11	2/1/88
130A-142	Amended	782	12	2/1/88
130A-143	Amended	782	13	2/1/88
130A-144	Amended	782	14	2/1/88
130A-145	Amended	782	15	2/1/88
130A-148	Added	782	16	See note
130A-155.1	Amended	782	17	2/1/88
130A-156	Amended	782	18	2/1/88
130A-163	Repealed	782	20	2/1/88
130A-179	Repealed	782	20	2/1/88
130A-187	Amended	219		
130A-191	Added	218		
130A-228	Amended	438	1	
130A-235	Amended	543	1	2/1/88
130A-247	Amended	367		
130A-248	Amended	438	2	
130A-249	Amended	145		
	Amended	189	1	
130A-261	Amended	456	1	
130A-262	Amended	456	2	
130A-265	Amended	456	3, 4	
130A-267	Amended	456	5	
130A-268	Amended	456	6	
130A-269	Amended	456	7	

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130A-271	Amended	456	8	
130A-272	Amended	456	9	
130A-293	Amended	827	249	
130A-294	Amended	597		
	Amended	761		
	Amended	773	1	
	Amended	827	1, 250	
	Amended	848	1	
130A-294.1	Added	773	2	
	Amended	773	4-8	
130A-295	Amended	461	3	
130A-295.01	Added	437	1	
130A-303	Amended	574	3	
130A-304	Amended	282	20	
130A-310				
to				
130A-310.12	Added	574	2	
130A-310	Added	574	5	
130A-313	Amended	704	2	
130A-321	Amended	704	3-5	
130A-326	Amended	471		
130A-334	Amended	435		
130A-335	Amended	267	1, 2	
130A-412.1	Added	719	1	
130A-414	Repealed	719	2	
130A-415	Amended	470		
130A-423	Amended	215	1	See note
	Amended	215	2	
130A-425	Amended	215	3	
130A-430	Amended	215	4	
130A-431	Amended	215	5	
130A-432	Amended	215	6	
130A-433	Amended	215	7	
130A-440	Amended	114	1	
131C-4	Amended	827	1, 239	
131C-10	Amended	741	1	
131C-21.1	Amended	827	240	
131D-2	Amended	827	241	
131D-3	Amended	827	1, 242	
131D-4	Amended	827	242	
131D-10.9	Amended	827	243	
131D-30	Repealed	600	1	
131D-31	Amended	682	2	
131D-130	Added	600	3	
131E-55	Repealed	856	13	See note
131E-56	Amended	279	1	
	Repealed	856	13	See note
131E-57	Repealed	856	13	See note
131E-58	Repealed	856	13	See note
131E-85	Amended	859	18	
131E-87	Amended	859	16	
131E-96	Added	859	17	
131E-125	Amended	827	251	
131E-126	Repealed	600	1	
	Amended	827	252	
131E-128	Amended	682	1	
131E-129	Added	600	2	
131E-159	Amended	495	2	
131E-175	Amended	511	1	

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131E-176	Amended	511	1	
131E-177	Amended	511	1	
131E-178	Amended	511	1	
	Amended	768	1	
131E-179	Amended	511	1	
131E-180	Amended	511	1	
131E-181	Amended	511	1	
131E-182	Amended	511	1	
131E-183	Amended	511	1	
131E-184	Amended	511	1	
131E-185	Amended	511	1	
131E-186	Amended	511	1	
131E-187	Amended	511	1	
131E-188	Amended	511	1	
131E-189	Amended	511	1	
131E-190	Amended	511	1	
131E-191	Repealed	511	1	
131E-210	Amended	592	1	
131E-212	Amended	592	2, 3	
	Amended	827	253	
131E-213	Amended	592	4	
131E-215				
to				
131E-224	Added	83	1	
132-6	Amended	835	1	
132-9	Amended	835	2	
133-32	Amended	399		
134A-21	Amended	282	21	
134A-36	Amended	282	22	
135-1	Amended	738	29(a), 36(a)	
135-3	Amended	513	1	
	Amended	738	38(b)	
135-4	Amended	533	1	
	Amended	717	2	
	Amended	738	29(b)	
	Amended	809	2	
	Amended	821		
	Amended	825		
135-5	Amended	181	1	
	Amended	513	1	
	Amended	738	27(a), 29(c)-(j), 37(a)	
	Amended	824	3	7/1/88
135-6	Amended	539	1	
135-9	Amended	738	29(k)	
135-18.6	Added	177	1(a), (b)	See note
135-34	Repealed	738	29(l)	
135-38	Amended	61		
	Amended	738	29(m)	
	Amended	857	1	
135-39	Amended	857	2	
135-39.2	Amended	857	3	
135-39.3A	Repealed	857	4	
135-39.4A	Amended	857	5	
135-39.5	Amended	857	6, 7	
135-39.5B	Amended	857	8	
135-40.1	Amended	564	17	
	Amended	857	9, 10	

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135-40.2	Amended	738	29(n), 36(a), 36(b)	
	Amended	809	3, 4	
	Amended	857	11(a), 11.1-12	
135-40.3	Amended	857	13	
135-40.5	Amended	857	14	
135-40.6	Amended	282	23, 24	
	Amended	857	15-18	
135-40.6A	Amended	857	19	
135-40.7	Amended	282	35	
135-40.7A	Amended	282	25	
	Amended	857	24	
135-40.8	Amended	857	20	
135-40.10	Amended	857	21	
135-40.11	Amended	738	29(o)	
135-57	Amended	513	1	
135-59	Amended	513	1	
135-64	Amended	824	4	7/1/88
135-65	Amended	738	27(b)	
135-71	Amended	738	39(b)	
135-73	Added	177	1(a), (b)	
135-100 to				
135-113	Added	738	29(q)	
136-16.4 to				
136-16.9	Added	738	170(a)	
136-17.2	Amended	783	3	
136-18	Amended	311		
136-28.1	Amended	400		
136-28.5	Added	380		
136-28.6	Added	860	1	
136-29	Amended	847	3	
136-44.2	Amended	830	113(b)	
136-44.15	Added	324	1	
136-44.50 to				
136-44.53	Added	747	19	
136-66.1	Amended	747	1, 2	
136-66.3	Amended	747	3	
136-66.10	Added	747	7	
136-66.11	Added	747	7	
136-96	Amended	428		
136-102.6	Amended	747	21	
138-4	Amended	738	32(a)	
138-5	Amended	738	58(a), 58(b)	
138-6	Amended	738	58(c), 58(d), 60	
140-5.13	Amended	842	1, 2	
140-5.15	Amended	827	81	
142-12.1	Added	587		
142-13	Amended	522		
143-3.3	Amended	738	223	
143-8	Amended	738	61	
143-12.1	Amended	564	25	
	Amended	738	233(a)	

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143-15	Amended	876	12	
143-18.1	Amended	282	26	
143-23.2	Added	861	1	
143-27.2	Amended	177	2	
143-31.5	Amended	564	26	
	Amended	722		
143-47.6	Amended	564	27	
143-47.21				
to				
143-47.24	Repealed	738	41(c)	
143-53	Amended	827	216	
143-58	Amended	827	217	
143-60	Amended	282	27	
	Amended	827	217	
143-64.2	Amended	827	218	
143-64.5	Amended	827	217	
143-64.22	Amended	827	217	
143-64.30	Added	102	1	
143-64.31	Added	102	2	
143-64.32	Added	102	3	
143-64.33	Added	830	78(a)	
143-116.6	Amended	827	255	
143-116.7	Amended	827	256	
143-116.8	Added	474	1	
143-117	Amended	856	14	See note
143-117.1	Amended	856	15	See note
143-118	Amended	358	2	
143-118.1	Repealed	699	1	
143-127.1	Amended	738	68	
143-127.5	Amended	264	1	
143-127.6	Amended	264	2	
	Amended	827	257	
143-129	Amended	590		
143-135.3	Amended	847	4	
143-135.10				
to				
143-135.20	Repealed	847	5	
143-135.25	Added	71	1	
143-135.26	Added	71	1	
	Amended	721	2	
	Amended	830	79(a)	
143-135.27	Added	71	1	
143-135.28	Added	71	1	
143-137	Amended	827	219	
143-141	Amended	829	1	
143-143.9	Amended	429	4, 5, 19	
143-143.10	Amended	429	6, 7, 19	
	Amended	829	1	
143-143.11	Amended	429	19	
143-143.12	Amended	429	19	
	Amended	827	223	
143-143.13	Amended	429	19	
143-143.14	Amended	429	19	
143-143.15	Amended	429	8	
143-143.16	Amended	429	9	
143-143.17	Amended	429	19	
143-143.18	Amended	429	17, 19	
143-143.19	Amended	429	19	
	Amended	829	1	

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143-143.21	Amended	429	19	
143-143.23	Amended	429	19	
143-143.24	Amended	429	19	
143-144	Amended	429	19	
143-145	Amended	429	10, 19	
143-146	Amended	429	11, 12, 18, 19	
143-147	Amended	429	19	
143-148	Amended	429	13	
143-151	Amended	429	19	
143-151.1	Amended	429	15, 18, 19	
143-151.2	Amended	429	18	
143-151.3	Amended	429	18, 19	
143-151.4	Amended	429	14	
143-151.5	Amended	429	16, 19	
143-151.8	Amended	827	224, 225	
143-151.9	Amended	564	28	
143-151.12	Amended	564	15	
	Amended	827	226	
143-151.13	Amended	827	225, 227	
143-151.17	Amended	827	228	
143-151.19	Amended	827	224, 229	
143-151.20	Amended	827	224	
143-166.2	Amended	812		
143-166.40	Amended	829	1	
143-166.60	Amended	738	29(p)	
143-166.84	Amended	177	3	
143-166.85	Amended	177	4	
143-212	Added	827	152A	
143-213	Amended	827	153, 154	
143-214.1	Amended	827	154, 156	
143-214.2	Amended	827	154, 157	
143-214.3	Amended	827	154	
143-214.4	Added	111	1	
	Amended	817		
	Amended	827	154	
143-215	Amended	827	154, 158	
143-215.1	Amended	461	1	
	Amended	734	1	
	Amended	827	154, 159	
143-215.2	Amended	827	154, 160	
143-215.3	Amended	111	2	
	Amended	767	1	
	Amended	827	154, 161, 266	
	Amended	829	1	
143-215.3A	Added	767	2	
143-215.3B	Added	767	3	
	Amended	827	266	
143-215.4	Amended	827	162, 169	
143-215.5	Amended	827	163	
143-215.6	Amended	271	1, 2	
	Amended	827	154, 164	
143-215.7	Amended	827	165	
143-215.8A	Amended	827	166	
143-215.13	Amended	827	167	
143-215.14	Amended	827	168	

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143-215.15	Amended	827	169	
143-215.17	Amended	827	170	
143-215.18	Amended	827	171	
143-215.19	Amended	827	172	
143-215.20	Repealed	827	173	
143-215.21	Amended	827	174	
143-215.25	Amended	827	175	
143-215.26	Amended	827	176	
143-215.30	Amended	827	177	
143-215.33	Amended	827	178	
143-215.34	Amended	827	179	
143-215.36	Amended	827	180	
143-215.42	Amended	827	181	
143-215.44	Amended	827	182	
143-215.55	Amended	827	183	
143-215.56	Amended	827	184	
143-215.62	Amended	827	185	
143-215.65	Amended	827	186	
143-215.66	Amended	827	187	
143-215.68	Repealed	827	188	
143-215.69	Amended	827	189	
143-215.71	Amended	781	1	
143-215.74	Amended	830	102	
143-215.77	Amended	827	154, 155	
143-215.77A	Amended	827	190	
143-215.79	Amended	827	154	
143-215.81	Amended	827	154, 191	
143-215.83	Amended	827	154, 192	
143-215.84	Amended	827	154, 193	
143-215.85	Amended	827	154, 194	
143-215.86	Amended	827	154, 195	
143-215.88	Amended	827	154	
143-215.90	Amended	827	154, 196	
143-215.91	Amended	270		
	Amended	827	154, 197	
143-215.91A	Added	269	3	
143-215.92	Amended	827	154, 198	
143-215.95	Amended	827	154	
143-215.97	Amended	827	199	
143-215.98	Amended	827	154, 200	
143-215.100	Amended	827	154	
143-215.101	Amended	827	154, 201	
143-215.102	Amended	827	202	
143-215.103	Added	269	1	
143-215.104	Added	269	1	
143-215.105	Amended	827	203	
143-215.106	Amended	827	154, 204	
143-215.107	Amended	827	154, 205	
143-215.108	Amended	461	2	
	Amended	827	154, 206	
143-215.109	Amended	827	154, 207	
143-215.110	Amended	827	154, 208	
143-215.111	Amended	827	154, 209	
143-215.112	Amended	748	1	
143-215.112	Amended	827	1, 154, 210	
143-215.113	Repealed	827	211	
143-215.114	Amended	748	2	
143-215.114	Amended	827	154, 212	

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143-243	Amended	827	213	
143-250	Amended	816		
143-254	Repealed	827	214	
143-291	Amended	684	1	
143-300.2	Amended	684	2	
143-300.8	Added	654	2	
143-340	Amended	274	1	
143-341	Amended	738	43-45,	
			47(a)	
	Amended	827	220	
	Amended	874	1	
143-345.6	Amended	738	158(a)	
143-408.4	Amended	92	1	
143-439	Amended	559	1	
143-440	Amended	559	2	
143-442	Amended	559	3-7	
	Amended	827	39	
143-443	Amended	559	8	
143-446	Amended	559	9	
143-447	Amended	559	10	
	Amended	827	41	
143-448	Amended	559	2, 11	
143-450	Amended	559	2	
143-451	Amended	559	2, 13	
	Amended	827	40	
143-452	Amended	559	14, 15	
143-455	Amended	559	16	
143-456	Amended	559	17	
	Amended	827	42	
143-458	Amended	827	43	
143-459	Amended	559	2	
143-460	Amended	559	2, 18-20	
143-461	Amended	827	44	
143-462	Amended	827	1	
143-463	Amended	827	45	
143-464	Amended	827	46	
143-469	Amended	559	21	
	Amended	827	1	
143-506.15	Amended	738	149(a)-(c)	
143-552	Amended	564	29	
143-554	Amended	564	12	
143-555	Amended	564	29, 30	
143B-10	Amended	738	147	
	Amended	827	1	
143B-14	Amended	827	221	
143B-30.2	Amended	285	1-5	
143B-30.3	Amended	285	6	
143B-79	Amended	251		
143B-133	Added	779	1	
143B-133.1	Added	779	1	
143B-139.4	Added	634	1	
143B-163	Amended	827	1	
143B-168.1	Repealed	788	23	
143B-168.2	Repealed	788	24	
143B-168.3	Amended	788	25, 26	
143B-173	Amended	856	16	See note
143B-174	Amended	856	17	See note
143B-177	Amended	780	1	
143B-178	Amended	780	1	

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143B-179	Amended	780	1	
143B-181.1	Amended	827	244	
143B-188	Amended	822	3	
143B-189	Amended	822	3	
143B-190	Amended	822	3	
143B-191 to				
143B-196	Repealed	822	1	
143B-216.4	Amended	564	9	
143B-216.5A	Added	838	1	
143B-216.5B	Added	838	1	
143B-261.2	Added	639	1	
143B-262	Amended	479	1	
	Amended	738	111(a)	
143B-264	Amended	738		
143B-270	Added	738	111(d)	
143B-271	Added	738	111(d)	
143B-286 to				
143B-289	Repealed	641	1	
143B-289.1				
to				
143B-289.12	Added	641	2	
143B-289.3,	Amended	827	266	
143B-289.4,				
143B-289.11,				
143B-289.12				
143B-289.3	Amended	827	266	
143B-289.4	Amended	773	10	
143B-350	Amended	738	170(b)	
	Amended	747	4.1	
143B-418	Amended	564	9	
143B-426.25	Amended	876	29.1	
143B-426.39	Amended	738	59(a) (2)	
143B-431	Amended	214	1	
143B-454	Amended	275	1, 2	
143B-456	Amended	275	3	
143B-459	Repealed	275	4	
143B-461	Amended	275	5	
143B-465	Amended	275	6	
143B-470.4	Amended	82		
	Amended	827	1	
143B-471.4	Amended	564	11	
	Amended	738	143	
143B-471.5	Amended	830	108	
143B-472 to				
143B-472.28	Added	864	12	
143B-472	Amended	65		
	Amended	864	13	
143B-472.3	Amended	864	50	
143B-472.5	Amended	864	14	
143B-472.7	Amended	864	15	
143B-472.10	Amended	864	16	
143B-499.4	Amended	282	28	
143-433.6 to				
143-433.9	Added	588		
145-10.1	Added	347	1	
145-11	Added	366	1	
145-12	Added	480	1	
	Amended	877	1.1	
146-27	Amended	738	47(b)	

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147-11	Amended	738	11	
147-16.3	Added	867	4	
147-32	Amended	738	40	
147-33	Amended	738	31(b)	
147-33.12 to				
147-33.21	Repealed	841	5	
147-35	Amended	738	35(b)	
147-36.1	Amended	349	1	
147-45	Amended	827	59	
147-50.1	Repealed	771	1	
147-54.11 to				
147-54.18	Added	808	1	
147-64.1	Amended	738	32(b)	
147-64.4	Amended	564	31	
147-64.6	Amended	738	62	
147-65	Amended	738	32(b)	
147-69	Amended	751	1	
147-69.1	Amended	751	2-4	
147-69.2	Amended	446	1	
	Amended	751	5	
147-69.3	Amended	751	6-8	
147-86.11	Amended	564	32	
	Amended	738	59(a) (1)	
147-86.13	Amended	564	9	
148-4.1	Amended	7	1, 3, 4	
	Amended	879	1.2	
148-11	Amended	827	1	
148-32.1	Amended	7	2	
148-33.2	Amended	397	2, 3	
	Amended	598		
148-57.1	Amended	397	4	
	Amended	598	4	
148-101 to				
148-118	Repealed	746	1	
148-118.1 to				
148-118.9	Added	746	2	
150B-1	Amended	112	2	
	Amended	335	2	
	Amended	536	1	
	Amended	847	2	
	Amended	850	20	
150B-2	Amended	878	1, 2, 21	
150B-11	Amended	827	54	
150B-12	Amended	285	7-9	
150B-13	Amended	285	10-12	
150B-14	Amended	285	13	
150B-23	Amended	878	3-5	
	Amended	879	6.1	
150B-24	Amended	878	6	
150B-25	Amended	878	6	
150B-27	Amended	878	6	
150B-29	Amended	878	7	
150B-31	Amended	878	6	
150B-32	Amended	878	8	
150B-33	Amended	878	5, 9, 10,	
			26	
150B-34	Amended	878	5, 23	
150B-35	Amended	878	11	
150B-36	Amended	878	12, 24	

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150B-37	Amended	878	13, 25	
150B-44	Amended	878	5, 27	
150B-45	Amended	878	16	
150B-47	Amended	878	22	
150B-49	Amended	878	17	
150B-50	Amended	878	18	
150B-51	Amended	878	19	
150B-52	Amended	878	20	
150B-59	Amended	285	14, 15	
150B-60	Amended	285	16	
150B-63	Amended	774	2-4	
153A-19	Amended	715	1	
	Amended	879	2	
153A-27.1	Amended	196	1	
153A-77	Amended	217	1	
153A-77.1	Added	422	1	
153A-103	Amended	362		
153A-125	Amended	708	7	7/1/88
153A-132.2	Amended	42	1	
	Amended	451	1	
153A-141	Added	759	1	
153A-149	Amended	45	2	
	Amended	697	2	
153A-152.1	Amended	850	21	
152A-188	Amended	712	1	
153A-217	Amended	207	2	
153A-223	Amended	827	1	
153A-230 to				
153A-230.5	Added	207	1	
153A-240	Amended	28	2	
153A-304.1	Added	711	1	
153A-325	Amended	45	1	
153A-326	Added	747	15	
153A-331	Amended	747	10, 17	
153A-340	Amended	747	12	
153A-341.1	Added	805	2	
153A-343	Amended	807	2	
153A-450	Amended	564	11, 12	
157-2	Amended	464	1	
157-3	Amended	464	2, 3	
157-9.3	Added	423	1	
	Added	464	4	
157-9.4	Added	464	4.1	
157-29	Amended	464	5	
158-7.1	Amended	577	1.1	
159-7	Amended	282	30, 31	
	Amended	796	3(1)	
159-13	Amended	796	3(2)	
159-13.2	Amended	796	3(3), 3(4)	
159-25	Amended	796	3(5)	
159-26	Amended	796	3(6)	
159-30	Amended	672	1	
159-34	Amended	287		
159-35	Amended	796	3(7)	
159-36	Amended	796	3(8)	
159-45	Amended	796	2(1)	
159-46	Amended	796	2(2)	
159-48	Amended	464	7	
	Amended	564	10	

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159-65	Amended	585	2	
	Amended	586		
159-79	Added	585	1	
159-99	Added	650		
159-100	Added	650		
159-123	Amended	585	3	
	Amended	796	4	
159-124	Amended	585	4, 5	
159-125	Amended	585	6	
159-181	Amended	796	5	
159C-7	Amended	827	1	
159D-1	Amended	517	1	
159D-2	Amended	517	2, 3	
159D-3	Amended	517	4, 4.1	
158D-4	Amended	517	5	
159D-7	Amended	517	6	
	Amended	827	1	
159D-11	Amended	517	7	
159D-19	Amended	517	8	
159E-5	Amended	282	29	
159G-1 to				
159G-18	Added	796	1	
160A-29	Amended	715	6	
	Amended	879	3	
160A-31	Amended	562	1	
160A-37	Amended	44	1	
160A-37.1	Amended	827	1	
160A-37.3	Amended	827	1	
160A-39	Amended	715	7	
	Amended	879	3	
160A-49	Amended	44	2	
160A-49.1	Amended	827	1	
160A-49.3	Amended	827	1	
160A-51	Amended	715	8	
	Amended	879	3	
160A-58.7	Added	562	2	
160A-58.8	Added	879	4	
160A-58.9	Added	715	2	
160A-58.9A	Added	715	3	
160A-178	Amended	708	8	
160A-196	Amended	303		
160A-197	Added	759	2	
160A-209	Amended	464	6	
160A-211.1	Amended	850	22	
160A-266	Amended	692	2	
160A-278	Added	464	9	
160A-279	Added	692	1	
160A-288	Amended	671	4	
160A-297	Amended	747	3.1	
160A-303.2	Amended	42	2	
	Amended	451	2	
160A-304	Amended	777	7	
160A-306	Amended	747	13, 14	
160A-307	Amended	747	16	
160A-372	Amended	747	9, 18	
160A-381	Amended	747	11	
160A-383.1	Added	805	1	
160A-384	Amended	807	1	
160A-399.5	Amended	283	1, 2	

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160A-443	Amended	542		
160A-456	Amended	464	10	
160A-457.2	Added	464	8	
160A-458.3	Added	619	1	
160A-458.4	Added	747	23	
160A-514	Amended	364		
160A-536	Amended	621	1	
160A-538	Amended	621	2	
160A-538.1	Amended	621	3	
161-3	Amended	620	4	
161-5	Amended	196	2	
161-10	Amended	792	2-5	
161-21	Amended	620	5	
161-50 to				
160-50.5	Added	792	1	
162-5.1	Amended	196	3	
162A-69	Amended	396	1-3	
162A-89.1	Amended	2	2	
163.151	Amended	713	1.1, 2	
163-22	Amended	485	2	
	Amended	509	9	
	Amended	642	3	
163-41	Amended	80		
	Amended	491	4.1	
163-59	Amended	408	4	
	Amended	457	1	
163-66.1	Added	833	1-11, 13.1	
163-69.2	Added	465	2	
163-69.3	Added	691	1	
163-72.2	Amended	549	1	
163-74	Amended	408	1, 6	
163-87	Amended	408	7	
163-90.3	Amended	565	2	
163-106	Amended	509	13	
163-114	Amended	509	10	
	Amended	526		
163-123	Added	393	1	
163-132.2	Amended	715	5	
	Amended	879	5, 6	
163-132.5A	Added	715	4	
163-132.5B	Added	715	4	
163-132.5C	Added	715	4	
163-140	Amended	491	1	
	Amended	504		
	Amended	580		
	Amended	713	1, 8-12	
163-150	Amended	408	2, 3	
163-151	Amended	713	1.1, 2, 5	
163-152	Amended	565	3	
163-155	Amended	300		
	Amended	565	4	
163-156	Amended	485	3	
	Amended	509	9	
163-160	Amended	106		
163-160.1	Added	106	1	
163-161	Amended	106		
163-162	Amended	106		
163-163	Added	36	1	

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163-164	Added	549	6.12	
163-170	Amended	713	3, 4, 6, 7	
163-170.1	Added	713	12.1	
163-171	Amended	416		
163-175	Amended	491	4	
163-177	Amended	565	5	
163-179.1	Added	642	1	
163-192	Amended	491	2, 3	
163-192.1	Added	642	2	
163-213.2	Amended	457	3	
163-213.3	Amended	81	2	
163-213.4	Amended	81	1	
	Amended	549	6.1	
163-213.6	Amended	549	6.2	
163-221	Amended	565	6	
163-226.3	Amended	565	7	
	Amended	583	8, 10	
163-227	Amended	485	2	
	Amended	509	9	
163-227.2	Amended	583	4	
163-227.3	Amended	485	2	
	Amended	509	9	
163-229	Amended	485	2	
	Amended	509	9	
	Amended	583	3	
163-230	Amended	485	1, 2	
	Amended	509	9	
163-231	Amended	583	1, 2	
163-236	Amended	565	9	
163-237	Amended	565	8	
163-247	Amended	415		
163-248	Amended	485	2	
	Amended	509	9	
	Amended	583	5	
163-250	Amended	583	6	
163-270	Amended	565	10	
163-271	Amended	565	11	
163-272.1	Added	565	1	
163-273	Amended	565	12	
163-274	Amended	565	13	
	Amended	583	9	
163-275	Amended	565	14	
	Amended	583	7	
163-278.7	Amended	113	1	
163-278.13	Amended	565	15	
163-278.14	Amended	113	2	
163-278.16	Amended	652		
163-278.19	Amended	113	3	
	Amended	565	16	
163-278.27	Amended	565	17	
163-278.44	Amended	565	18	
163-279	Amended	22	2	
163-283	Amended	408	5	
	Amended	457	2	
168-4.2	Amended	401	1	
168-4.3	Amended	401	2	
168-4.5	Amended	401	3	

